

**FATAWA ISLAMIYAH
ISLAMIC VERDICTS**

فتاوى إسلامية

**FATAWA ISLAMIYAH
ISLAMIC VERDICTS**

[Volume 6]

**DIVORCE, BREAST-FEEDING, OFFENCES,
PUNISHMENTS, LAWFUL & FORBIDDEN,
OATHS AND JUDGEMENTS**

From the Noble Scholars:

**Shaykh 'Abdul-'Aziz bin 'Abdullah bin Baz
Shaykh Muhammad bin Salih Al-'Uthaimin
Shaykh 'Abdullah bin 'Abdur-Rahman Al-Jibreen**

Along with:

**The Permanent Committee and
the decisions of the *Fiqh* Council**

**Collected by
Muhammad bin 'Abdul-'Aziz al-Musnad**



فتاوى إسلامية

Fatawa Islamiyah

ISLAMIC VERDICTS

[Volume 6]

DIVORCE, BREAST-FEEDING, OFFENCES,
PUNISHMENTS, LAWFUL & FORBIDDEN,
OATHS AND JUDGEMENTS

From the Noble Scholars:

Shaykh 'Abdul-'Aziz bin 'Abdullah bin Baz

Shaykh Muhammad bin Salih Al-'Uthaimin

Shaykh 'Abdullah bin 'Abdur-Rahman Al-Jibreen

Along with:

The Permanent Committee and the decisions of the *Fiqh* Council

Collected by:

Muhammad bin 'Abdul-'Aziz Al-Musnad

DARUSSALAM

GLOBAL LEADER IN ISLAMIC BOOKS

Riyadh, Jeddah, Sharjah, Lahore
London, Houston, New York



No part of this book may be reproduced or utilized in any form or by any means, electronic or mechanical, including photocopying and recording or by any information storage and retrieval system, without the permission of the publisher.

First Edition: September 2002

Supervised by:

ABDUL MALIK MUJAHID

Headquarters:

P.O. Box: 22743, Riyadh 11416, KSA
Tel: 00966-1-4033962/4043432
Fax: 00966-1-4021659
E-mail: darussalam@naseej.com.sa
Website: <http://www.dar-us-salam.com>
Bookshop: Tel: 00966-1-4614483
Fax: 00966-1-4644945

Branches & Agents:

K.S.A.

- Jeddah: Tel & Fax: 00966-2-6807752
- Al-Khobar: Tel: 00966-3-8692900
Fax: 00966-3-8691551

U.A.E.

- Tel: 00971-6-5632623 Fax: 5632624

PAKISTAN

- Lower Mall, Lahore
50-Lower Mall, Lahore
Tel: 0092-42-7240024 Fax: 7354072
- Rahman Market, Ghazni Street
Urdu Bazar, Lahore
Tel: 0092-42-7120054 Fax: 7320703

U. S. A.

- Houston: P.O. Box: 79194 Tx 77279
Tel: 001-713-722 0419
Fax: 001-713-722 0431
E-mail: sales @ dar-us-salam.com
Website: <http://www.dar-us-salam.com>
- New York: 572 Atlantic Ave, Brooklyn
New York-11217
Tel: 001-718-625 5925

AUSTRALIA

- Lakemba NSW: ICIS: Ground Floor 165-171, Haldon St. Tel & Fax: (61-2) 9758 4040, 9758 4030

U.K.

- London: Darussalam International Publications Ltd., 226 High Street, Walthamstow, London E17 7JH U.K.
Tel: 0044-208 520 2666
Mobile: 0044-794 730 6706
Fax: 0044-208 521 7645
- Darussalam International Publications Limited, Regent Park Mosque, 146 Park Road, London NW8 7RG,
Tel: 0044-207 724 3363

FRANCE

- Editions & Librairie Essalam
135, Bd de Menilmontant 75011
Paris (France)
Tel: 01 43 381956/4483 - Fax 01 43 574431
Website: <http://www.Essalam.com>
E-mail: essalam@essalam.com

MALAYSIA

- E&D BOOKS SDN. BHD. - 321 B 3rd Floor, Suria Klcc Kuala Lumpur City Center 50088
Tel & Fax: 00603-21663433, 459 2032

SINGAPORE

- Muslim Converts Association of Singapore Singapore- 424484 Tel: 440 6924, 348 8344
Fax: 440 6724

SRILANKA

- Darul Kitab 6, Nirmal Road, Colombo-4
Tel: 0094-1-589 038 Fax: 0094-74 722433

KUWAIT

- Islam Presentation Committee Enlightenment Book Shop, P.O. Box: 1613 Safat 13017 Kuwait
Tel: 00965-244 7526 Fax: 240 0057

Contents

The Book of Divorce

When is a Woman Considered to be Divorced	19
Divorce is One of the Rights of the Husband.....	21
The Frequent Use of Divorce.....	22
Some of the Reasons For Divorce	24
It is Prohibited for the Divorced Wife Who May Be Taken Back to Leave the House of Her Husband	26
Divorce According to the Sunnah.....	27
The Ruling on Divorcing a Menstruating Woman, and Does it Count?.....	28
The Ruling on Divorcing a Pregnant Woman	30
Divorcing a Pregnant Woman.....	31
Divorce is Disliked Unless it is Necessary	32
An Invalid Wager	33
Regarding the Statements Used for Divorce, and Which of them are Valid	33
The Ruling on Pronouncing Divorce Three Times at Once.....	33
The Ruling on Pronouncing Divorce Thrice by Various Expressions	35
He Said to His Wife: "You Will Not Be Permissible to Me Again"	40
He Said to His Wife: "You Are Not Under My Protection"	41
Cursing the Wife	42
A Whispered Pronouncement of Divorce Does Not Count	43
Divorce in Writing.....	46
Divorce Simply by Intention Does Not Count.....	47
The Wife of the Adulterer is Not Divorced.....	48

Conditional Divorce	50
He Said to Her: "If You Leave by This Door, You Are Divorced," So She Left by Another Door.....	50
What is Made Conditional in Divorce is Dependent Upon the Condition	52
The Ruling on One Who Made Divorce Dependent on a Condition, Then He went Back on it Before it Transpired	56
Is Conditional Divorce Considered Swearing to Other Than Allah?.....	57
This is a Divorce that Does Not Count.....	58
Swearing to Divorce	59
One Should Not be Careless About Pronouncing Divorce	59
He Swore to Divorce, Intending Something Else.....	60
The Ruling on One Who Swears to Divorce in Order to Prevent Himself From Doing Something.....	61
It is Incumbent Upon a Woman to Obey Her Husband.....	62
Swearing to Divorce is Not Counted if it Was Done With the Intention of Emphasizing Something.....	64
Annulment of Marriage.....	64
This is Annulment, Not Divorce.....	65
Ar-Raj'ah (Taking Back a Divorced Wife)	66
The Ruling on <i>Ar-Raj'ah</i> and its Conditions.....	66
The Manner of <i>Ar-Raj'ah</i>	67
It is a Part of the Sunnah to Call Witnesses to the Reunion	68
He Divorced Her, Then Returned Her Without Witnesses	69
<i>Ar-Raj'ah</i> Without Calling Witnesses is Correct.....	70
The Gauge by Which the Validity of <i>Ar-Raj'ah</i> is Measured in the Waiting Period, Not the Time.....	71
He Must Take Her Back With a New Contract.....	72
A Woman is Forbidden to Her Husband by the Third Divorce..	72
It is Not Permissible Until She Has Married Another.....	73

The Book of Az-Zihar

Declaring the Wife Forbidden Before the Contract Does not Affect the Marriage	74
He Declared His Wife Forbidden to Himself, Like His Mother and His Sister.....	76
The Ruling on <i>Zihar</i> For One Month Only	77
He Said to His Wife: "Consider Yourself Forbidden to Me For One Year."	78
Questions Regarding the Atonement	80
It is Not Permissible to Touch One's Wife Before Making the Atonement.....	81
A Woman Declaring Her Husband to be Forbidden to Her is Not <i>Az-Zihar</i>	82
Swearing to <i>Az-Zihar</i>	86
He Said to Her: "If You Go to Such-and-such a Place, You Will be Like the Back of my Mother to Me," And She Went	87

The Book of Al-'Iddah (The Waiting Period)

The Ruling on Al-'Iddah and the Categories of the Al-Mu'taddah (The Woman in Waiting).....	90
The Woman Whose Husband Dies After Making the Contract, But Before Having Sexual Intercourse With Her	90
The Divorced Woman Whose Husband Has Had Sexual Intercourse With Her Must Observe the Waiting Period in All Cases	91
An Old Woman Must Observe Mourning.....	92
The Elderly Woman and the Minor, Who Has Not Reached Puberty Must Observe the Waiting Period of Death	95
The Waiting Period of the Pregnant Woman if Her Husband Dies	96
Clarification of the Waiting Period of the Divorced Woman, and the Ruling on Her Leaving Her House, if Her Divorce is	

Revocable.....	96
The Waiting Period of a Woman Whose Marriage is Annulled by <i>Al-Khul'</i> and the Waiting Period of the Divorced Woman if the Time is Extended.....	100
The Ruling on Delaying the Waiting Period and the Mourning Period Without Any Lawful Excuse.....	101
The Rulings on Women Mourning	102
Wearing Black at the Time of Calamities is an Invalid Distinction.....	102
The Ruling on Wearing Black and Rulings on the Woman in Her Waiting Period Whose Husband Has Died.....	103
The Ruling on a Widowed Woman in Her Waiting Period Moving From the House of Her Deceased Husband to the House of Her Family.....	106
What the Mourning Wife is Obligated to Avoid.....	106
The Ruling on the Use of Perfume by the Mourning Woman....	108
The Ruling on a Mourning Woman Washing Her Head, and What She Must Avoid.....	109
The Mourning Woman Should Not Use Perfume Nor be Proposed to, Except by Suggestion.....	110
The Ruling on a Mourning Woman Answering the Telephone, and Wearing a Watch.....	111
The Ruling on a Woman Answering the Telephone During Her Mourning Period.....	111
The Ruling on a Mourning Woman Going Out to the Market...	112
The Ruling on a Woman in Her Waiting Period Going to School.....	113
How Can a Woman Who is Employed Observe the Waiting Period?.....	114

The Book of Breast-feeding

The Sons of Your Father Through Breast-feeding From His Second Wife are Your Brothers.....	116
--	-----

That Which is Forbidden Due to Kinship is Forbidden Due to Breast-feeding.....	117
Regarding Breast-feeding.....	118
Your Brother's Father Through Breast-feeding is Not a <i>Mahram</i> For You.....	118
A Question Regarding Breast-feeding.....	119
One Breast-feed Does Not Bring About Prohibition	120
Prohibition is Not Brought About Except by Five Breast-feedings.....	121
The Breast-feeding of the Paternal Uncle's Daughter With the Brother	122
The Manner of the Five Breast-feedings	123
Is His Sister Through Breast-feeding a Sister to All of His Brothers?	124
Breast-feeding After the Menopause is the Same as Breast-feeding Before it	125
That Which is Prohibited by Kinship is Prohibited by Breast-feeding.....	126
He Married His Sister Through Breast-feeding in Ignorance	127
He Married His Sister Through Breast-feeding	128
This Breast-feeding Has no Effect.....	129
Her Uncle Was Breast-fed With Me by My Mother, so is She Permissible to Me?	130
Leave What Makes You Doubt For That Which Does not Make You Doubt	130
Breast-feeding Which Brings About Prohibition.....	131
The Husband is the Owner of the Milk.....	132
The Limits of Prohibition in Breast-feeding.....	133
The Daughter of Your Paternal Aunt's Son Who Was Breast-fed With Your Sister is Forbidden to You	135
The Breast-feeding of Your Brother With Your Wife's Sister Does Not Affect Your Marriage	136

Breast-feeding After Menopause Prohibits (Marriage).....	136
Blood Does Not Transmit Prohibition Like Breast-feeding.....	137
If You Were Breast-fed by Your Grandmother, it is Forbidden For You to Marry Your Maternal Uncle's Daughter.....	138
There is no Effect From This Breast-feeding.....	139
If You Were Breast-fed by a Woman, it is Forbidden For You to Marry Her Children.....	140
The Paternal Aunts of Your Sisters Through Breast-feeding Are Forbidden to You	142
The Breast-feeding of an Adult Has no Effect	142
A Question Regarding Breast-feeding.....	143
They Are Maternal Uncles to You Through Breast-feeding.....	143
Simple Doubt Regarding Breast-feeding Does Not Invalidate the Marriage	144
If a Child is Weaned, His Being Breast-fed Has no Effect	145
The Breast-feeding Which Causes Prohibition	146
That Which is Forbidden Due to Kinship is Forbidden Due to Breast-feeding.....	147
Questions Regarding Breast-feeding.....	149
She Claimed to Have Breast-fed, Then She Went Back on What She Had Said	151
If He Was Breast-fed by a Man's Wife, His Daughters From the Other are Forbidden to Him.....	152
The Milk is Attributed to the Man.....	153
The Breast-feeding Which Causes Prohibition	154
His Wife Was Breast-fed by His Father's Wife	154
The Wife of Your Brother Through Breast-feeding is Not One of Your <i>Mahrams</i>	156
The Sisters of Your Brother Through Breast-feeding Are Not Forbidden to You	157
My Mother Through Breast-feeding Claimed That She Had Breast-fed my Wife	157

Regarding Breast-feeding in Which There Exists Doubt	158
--	-----

The Book of Criminal Offences

Intentional Killing	160
He Killed Someone Intentionally and He Wants to Repent	160
Whoever Killed a Muslim Intentionally	162
The Punishment For Murder by Deception (<i>Al-Ghilah</i>)	164
The Father is Not Killed For Killing His Son	167
Accidental Killing	170
The Punishment For Accidental Killing	170
There is no Atonement Incumbent Upon Him	171
The Cause of the Accident Must be Ascertained	172
He Caused the Deaths of Two Persons	172
He Dug a Well and a Child Fell in it	174
Is There Any Atonement Incumbent Upon Me For This Accident?	175
He Killed His Daughter Unintentionally	176
If Two or More Shared in the Responsibility For an Accidental Death	177
The Atonement For Accidental Killing	178
She Was Inattentive to Her Small Daughter and it Resulted in Her Killing Herself	179
Atonement Must be Made for Accidental Killing	180
The Atonement is Incumbent Upon the One Who Ran Over a Victim	180
There is no Atonement Incumbent Upon Her	180
Caution is Better	181
There is Nothing Incumbent Upon You, Because You Did Not Intend to Kill Him	182
Whoever is Obligated to Pay the <i>Diyah</i> Due to Accidental Killing is Obligated to Atone For it	183
If the <i>Diyah</i> is Remitted, is it Necessary to Make Atonement?... ..	184

The Meaning of Freeing a Neck.....	186
Al-Qasamah	188
Is it the Heirs Who Swear Their Oaths of <i>Al-Qasamah</i>	188

The Book of Legal Punishments

The Punishment for Illegal Sexual Intercourse	190
There are no Conditions Attached to One Who Stones the Adulterer.....	190
Does the Marriage of the Adulterer to the Adulteress Excuse Them From the Punishment?	191
It is Sufficient to Repent.....	193
An Adulterer's Wife is Not Forbidden to Him	195
The Legal Punishment is Implemented Upon the Drunkard Who Commits Illegal Sexual Intercourse.....	196
The Prayer of the Fornicator.....	198
The Ruling on Sodomy and the Punishment Thereof	199
The Repugnancy of <i>Al-Liwat</i>	199
The Sin of One Bestiality.....	201
The Punishment of the Drunkard	202
It is an Obligation Upon the Muslim to Avoid Selling, Handling, Carrying and Drinking Alcoholic Beverages.....	202
The Ruling on Informing People About the Drunkard.....	204
The Ruling on Using Alcohol With Medicine	204
Alcohol is not a Cure	205
The Ruling on Using Alcohol as a Medicine.....	207
The Ruling on the Worship of One Who Drinks Alcohol.....	207
The Ruling on Working in Alcoholic Drink Factories	208
Execution For Drug Smugglers and Those Who Distribute Them	210
The Ruling on the Apostate	213
If He Repents, the Legal Punishment is not Inflicted Upon the Apostate	213

The Punishment For One Who Persists in Reviling the Religion is Death.....	213
---	-----

Animals that are Lawful to Eat and Those that are Forbidden

A Rule Regarding Animals Forbidden to Eat and those Permissible to Eat.....	215
Which Land and Sea Creatures are Permissible to Eat	219
The Ruling on Eating the Turtle, the Crocodile and the Hedgehog.....	223
The Ruling on Eating Hedgehogs.....	224
The Ruling on <i>An-Nees</i>	225
The Ruling on Eating the Hyena	226
The Ruling on Killing the Frogs and Eating them	228
The Ruling on Eating the Snail and the Crocodile	230
The Meat and the Fat of the Pig are Prohibited.....	231
The Wisdom Behind the Prohibition of Pork.....	232
The Pig and its Oil	234
The Wisdom Behind the Prohibition of Swine Flesh	240
The Pig is an Unclean Animal.....	242
The Ruling on Eating Chicken Which Has Been Fed on Pork....	243
The Ruling on Eating Animals Which Died of Natural Causes ..	244
Rulings on Slaughtered Animals	246
The Slaughtered Animals of the People of the Scripture.....	246
The Slaughtered Animals of the People of the Scripture Are Permissible, Even Though They Have Deviated From Their Religion and Slaughtering Using Machines is Permissible on Certain Conditions.....	246
The Ruling on Eating Animals Slaughtered by the Christians	248
The Ruling on Animals Slaughtered by the Christians Which Were Slaughtered With <i>As-Sar'</i> or by <i>Al-Qasf</i> and the Ruling on Pork Fat.....	248

The Ruling on an Animal Slaughtered by Electric Shock.....	252
Animals Slaughtered by the Disbelievers	256
The Ruling on Animals Slaughtered by the Idolaters	256
The Ruling on Animals Slaughtered by Polytheists Who Claim Allegiance to Islam	257
Slaughtering For Other Than Allah is <i>Shirk</i>	258
Animals Slaughtered by Disbelievers Other Than the People of the Scripture.....	260
The Ruling on the Slaughtered Animals of Those Who Seek Help From Other Than Allah, if They Mention Allah's Name Over Them.....	262
The Ruling on the Sacrifice of One Who Abandons Prayer	270
Also Regarding the Ruling on the Sacrifice of One Who Abandons Prayer	271
The Ruling on Slaughtering For Those Whom it is Claimed Are <i>Awliya'</i> and Others	273
The Ruling on Animals Slaughtered Beside Graves	275
The Ruling on <i>Al-Jadaf</i>	275
Imported Slaughtered Animals and Those Whose Status is Unknown	276
The Ruling on Imported Meats.....	276
The Ruling on Canned Meats	278
The Ruling on Imported Chicken	279
The Ruling on Frozen Chicken	280
The Ruling on the Imported Meats Which Are in the Markets..	281
The Ruling on the Slaughter of a Person Whose Beliefs are Unknown and One Who Commits <i>Shirk</i> Due to Ignorance...	283
The Ruling on Meats When the Circumstances of Slaughter is Unknown in the Lands of the Disbelievers.....	284
Whoever Was Served Meat and He Did Not Know Whether the Name of Allah Was Mentioned Over it or Not.....	286

Animals Slaughtered for Special Occasions and the Like	287
The Ruling on Slaughtering an Animal as Hospitality Towards a Guest or a Relative	287
The Ruling on Slaughtering for a Guest and Out of Generosity to One's Family	288
The Ruling on Slaughtering for a Guest	289
The Ruling on Slaughtering on Lawful Occasions	289
The Ruling on Slaughtering in Order to Glorify a Person or Out of Hospitality Towards Him.....	290
The Ruling on <i>Al-Burhah</i> or <i>Al-'Itamah</i>	292
The Ruling on an Animal Which is Sacrificed in Order to Effect a Reconciliation Between Two Disputants	296
Rulings on Slaughtering	297
Being Kind to Animals	297
The Islamic Method of Slaughtering Animals.....	308
Slaughter According to the Islamic Law.....	313
Confining Oneself to What Was Narrated When Mentioning Allah's Name is Better.....	314
The Ruling on the Sacrificial Animal Which Does not Move When Being Slaughtered.....	315
The Ruling on a Woman's Slaughter.....	315
Slaughtering by Electric Shock.....	316
If One of the People of the Scripture Slaughters an Animal and He Does not Mention Allah's Name Over it.....	317
A Sheep Was Run Over and He Slaughtered it Before it Died...	318
The Ruling on Eating an Animal Killed by Cutting the Spinal Cord.....	319
The Ruling on Eating an Untamed Camel if it Was Cut in a Place Other Than the Normal Place of Slaughter.....	320
The Ruling on Killing Animals With an Electric Shock.....	322
Foods Concerning Which There is Doubt and Those Which Are Forbidden	327

It is not Righteousness to Ask About the Origin of the Food	327
The Basic Principle Regarding All Foods is Permissibility	328
The Ruling on Ice Cream, Cheese, Toothpaste, Soap and the Like	329
The Ruling on Gelatin	330
Is Tea a Form of <i>Khamr</i> ?	331
The Ruling on Drinking Beer and the Like	331
The Ruling on the <i>Myrrh</i> Which is Found in Perfume Shops	333
The Ruling on Smoking and Trading in it	333
The Hookah and Smoking Cigarettes, Cigars Etc. Are Forbidden	335
The Evidences For the Prohibition of Cigarette Smoking and the Hookah	336
The Ruling on <i>Qat</i> and Cigarette Smoking, and Keeping Company With Those Who Use Them	337
<i>Qat</i> is Forbidden and Not Impure	339
The Ruling on Snuff	342
Alcohol is Forbidden, and One Who Drinks it is a Sinner	343
The Ruling on Sitting at Drinking Tables	344
The Ruling on Treating Oneself by Drinking Alcohol	345
The Ruling on Treating Oneself With the Unlawful	347
The Ruling on Working in Establishments that Serve Alcoholic Drinks and Swine Flesh	348
The Meat of Animals Which Were Not Slaughtered	350
Eating From Unlawful Income	350
Eating From Unlawful Income	350
The Ruling on Eating Stolen Food	351
Avoid This Income	352
The Ruling on Mixing Forbidden Food With His Food	352
The Sin is Upon the Earner, Not Upon the One Who Eats it	354

Hunting	354
Mentioning Allah's Name When Shooting.....	354
The Ruling on Keeping Dogs For Other Than Hunting, and the Ruling on Their Prey When They Hunt.....	355
Hunting is Permissible For One Who is not in the State of <i>Ihram</i>	356
Various Rulings	360
The Ruling on Fat Which is on the Hands and on the Dishes ...	360
The Ruling on Placing the Remainder of the Food in the Garbage and Using Newspapers as a Tablecloth	360
The Ruling on Using the Left Hand to Hold the Food and to Eat and Drink.....	361
The Equivalent of the Prophet's <i>Sa'</i> in Handfuls	362
The Ruling on Giving the Disbelievers Meat From the Sacrificial Animals	362

The Book of Oaths

The Wordings of Oaths and Swearing.....	364
Is the Saying of People: "I have Sworn Upon You" an Oath?	366
The Ruling on Swearing by the Prophet ﷺ.....	367
Resolutions of the <i>Fiqh</i> Council on Placing the Hand on the <i>Tawrah</i> or the <i>Injil</i> or Both of Them When Swearing an Oath Before a Court.....	368
Rulings on Oaths and Breaking Them.....	370
Making the Oath Subject to Allah's Will	371
He Swore to Abandon Something and He Did Not Abandon it.	372
He Swore Not to do Something, Then He Did it	373
He Swore Not to do Something, But He Fears That He Might do it.....	374
He Swore Not to do Something, Then He Did it Forgetfully	374
He Forbade Something to Himself and Now He Wants to do it	375
He Swore That He Would Not Do Something and Then He Was Compelled to do it.....	377

He Swore Not to do Something, Then He Was Forced to do it.	379
The Oath is According to the Intention of the One Who Swears.....	380
The Ruling on Swearing about Some Sport or Pastime.....	380
The One Who Breaks His Oath Must Atone for it	382
A Woman Swears to Her Children, Then They Disobey Her.....	383
A Woman Swore Not to Enter Her Son's House and (Now) She Wishes to Buy the House	384
The Ruling on Swearing to Divorce and Swearing to do What is Forbidden.....	385
Swearing to Divorce Three Times For the Purpose of Obliging Someone.....	386
He Swore an Oath of Divorce so That He Would not Return to Something, Then He returned to it.....	387
He Swore to Divorce in a Fit of Anger	388
He Swore to Divorce Forgetfully.....	389
He Said to His Wife: "If You Go Out, Then do Not Return," Intending to Prevent Her	390
He Said to Her: "If You do Such-and-such, You Are Forbidden (to Me)," Then She Did it Forgetfully	391
The Ruling on Prohibiting Something by the Heart Without Uttering it, With the Intention of Preventing it.....	392
Declaring Something Permissible to be Forbidden Does not Make it so	393
The Rulings of the Atonement.....	395
The Atonement for an Oath.....	395
The Amount of Food Required for the Atonement of an Oath...	396
How to Make the Atonement for an Oath	396
It is Better to Make the Atonement Before Breaking the Oath ..	397
It is Not Permissible to Begin With Fasting Before Feeding (the Poor)	397

If a Number of Oaths Were Made, is One Atonement Sufficient?.....	399
The Ruling on Repeated Oaths to do One Thing.....	399
How do We Atone for a Number of Oaths, if We do not Know How Many They are?	400
The Ruling on Spending on <i>Mujahidin</i> as Atonement for an Oath	401
The Ruling on Making the Atonement for an Oath as Money ...	402
The Ruling on One Who Swore by Allah to a Lie and What is Incumbent Upon Him.....	402
The Ruling on One Who Swore Upon a Copy of the Qur'ān to a Lie.....	404
The Chapter on Vows	405
The Ruling on Making Vows in Islam	405
The Ruling on Changing the Direction of the Vow.....	406
Is it Permissible for One to Eat from what He has Dedicated?...	409
It is Hated to Make Vows, But it is Obligatory to Fulfill Them .	410
The Ruling on Making a Vow to Other Than Allah and is it <i>Shirk</i> or Not?	411
Making a Vow to Other Than Allah is <i>Shirk</i> and it is Invalid and Should not be Fulfilled and the Animal Consecrated is Dead Meat	414
He Vowed to Slaughter a Sheep, Then He Sold it.....	415
The Ruling on One Who Made a Vow and Did not Fulfill it	415
Fulfilling an Oath in Accordance With the Intention.....	418
A Vow Does not Prevent Anything that Has Been Decreed by Allah	419
It is Obligatory to Fulfill a Vow as it is	420
A Conditional Vow.....	422
You Must Fulfill Your Oath.....	423
The Ruling on Giving Charity Equal to the Value of the Vow ...	424
It is not Obligatory for One to Fulfill Vow He made to Himself	426

He Vowed to Sacrifice an Animal if He Passed an Exam and He Passed at the Second Session.....	426
I Slaughtered the Animal I Vowed to, Then I Ate From it	428
She Vowed to Fast, Then She Was Unable to	429
The Ruling on One Who Vowed to Sacrifice Beside Graves and Tombs.....	431
The Ruling on One Who Made a Vow But Did not Fulfill it	433
May a Man Eat From the Meat Which He Vowed to or not?....	434
He Vowed to Pray Ten <i>Rak'ahs</i> , Should He Pray Them All in One Day?	435
She Vowed to Slaughter a She-camel and not to Eat From it, Then She Ate From it	436
The Ruling on Delaying the Fulfillment of a Vow.....	436
The Ruling on One Who Made a Vow Dependent Upon Something in the Future and it Did not Happen.....	437
Fulfilling an Oath is Obligatory	438
A Vow Whose Intention is to Prevent Something Falls Under the Ruling of an Oath	438
This is not a Vow	440
The Ruling on Fulfilling a Vow With the Money of Another	441

The Book of Judgements and Related Matters

The Ruling on Assuming the Office of a Judge in a Country that Does not Judge According to the Islamic Law	442
The Ruling on the Legal Profession	442
Conditions For Working as a Lawyer	443
The Ruling on Beating the Accused During Interrogation.....	444
The Ruling on One Who Concealed True Evidence.....	445
It is not Permissible for a Person to Give Evidence Except about What He Knows	446



The Book of Divorce

When is a Woman Considered to be Divorced

Q His Eminence, Shaikh ‘Abdul-‘Aziz bin ‘Abdullah Ibn Baz, The General President for the Administrations of Scientific Researches and Religious Verdicts, was asked: When is a woman considered to be divorced and what is the wisdom behind the permissibility of divorce?

A A woman is considered to be divorced when her husband pronounces divorce upon her while he is legally responsible, acting of his own free will, there is no factor preventing him from divorcing her, such as madness, drunkenness or the like — and the woman is purified (following menses), and her husband has not had sexual intercourse with her during this period of purity, and if she is pregnant.

If the husband is insane, acting under duress, or he is drunk — even though he be a sinner, according to the most authoritative of two opinions held by the scholars — or his anger is so intense that it prevents him from comprehending the harms of divorce, due to clear causes supporting his claim of extreme anger, with the presence of absolute reliability on that, or a clear testimony that supports that, then a divorce is not valid in this case, according to the words of the Prophet ﷺ:

«رُفِعَ الْقَلَمُ عَنْ ثَلَاثَةٍ: عَنِ النَّائِمِ حَتَّى يَسْتَيْقِظَ وَعَنِ الصَّبِيِّ حَتَّى يَحْتَلِمَ
وَعَنِ الْمَجْنُونِ حَتَّى يَعْقِلَ»

“The pen has been lifted regarding three: The minor until he reaches maturity, the sleeper until he awakes and the insane person until he becomes well.”^[1]

^[1] Abu Dawud no. 4403 and At-Tirmithi no. 1423.

And the Words of Allah, the Almighty, the All-Powerful:

﴿مَنْ كَفَرَ بِاللَّهِ مِنْ بَعْدِ إِيمَانِهِ إِلَّا مَنْ أُكْرِهَ وَقَلْبُهُ مُطْمَئِنٌّ بِالْإِيمَانِ﴾

“Whoever disbelieved in Allāh after his belief, except him who is forced thereto and whose heart is at rest with Faith;”^[1]

So if the one who is coerced into disbelief is not a disbeliever as long as his heart is at rest with faith, then it is even more fitting that the divorce of one who is forced against his will — and nothing induced him to divorce except coercion — should not be divorced, in accordance with the words of the Prophet ﷺ:

«لَا طَلَاقَ وَلَا عَتَاقَ فِي إِغْلَاقٍ»

“There is no divorce and no manumission in (cases of) Ighlaq.”^[2]

Narrated by Ahmad, Abu Dawud and Ibn Majah and authenticated by Al-Hakim.

A group of scholars — including Imam Ahmad, may Allah have mercy on him, explained the word *Ighlaq* to mean coercion and intense anger. And ‘Uthman, may Allah be pleased with him, the righteous Caliph, and a number of scholars ruled that the divorce of a drunkard whose rationality has been altered by the intoxication is not valid, although he is guilty of sin.

As for the wisdom behind the permissibility of divorce, it is the most obvious of things, because the wife may not suit her husband and he might dislike her intensely for numerous reasons, such as weakness of intellect, weakness in religious matters, bad manners and the like. So Allah has made a way out (for him) by divorcing her and removing her from his guardianship, as Allah, Most High says:

﴿وَإِنْ يَنْفَرَا يَغْنِ اللَّهُ كُلًّا مِنْ سَعَتِهِ﴾

“But if they separate (by divorce), Allāh will provide abundance for everyone of them from His bounty.”^[3]


Ibn Baz


[1] *An-Nahl* 16:106.

[2] Abu Dawud no. 2193 and Ibn Majah no. 2046.

[3] *An-Nisa’* 4:130.

Divorce is One of the Rights of the Husband

 It is established in the Islamic Law that divorce is one of the rights of the husband, but a majority of the scholars hold opinions ranging from a wife being authorized to divorce herself by herself, to a husband appointing a man to divorce his wife; my question is: Is this ruling confirmed from the Prophet ﷺ?

 I do not know of any *Hadith* from the Prophet ﷺ regarding a woman or anyone else appointing someone to obtain a divorce on their behalf. But the scholars have taken this from the evidences in the Book (of Allah) and the Sunnah for the permissibility of an adult man appointing another regarding his financial rights and the like; and divorce is one of the rights of a husband, so if he authorized a woman to obtain a divorce for herself, or he authorized someone else whose authority is valid to divorce her, then there is no objection to this, according to the Islamic rule on this.

But he may not appoint someone to pronounce divorce three times (at once), since it is not permissible for the husband to do so, therefore it is not permissible for the appointed agent to do it with greater reason, according to the narration of An-Nasa'i, with a good (Jayyid) chain of narrators, on the authority of Mahmud bin Lubayd, may Allah be pleased with him, who said: "The Prophet ﷺ was informed of a man who had pronounced divorce upon his wife three times at once and he ﷺ became angry and said:

«أَيُّلَعَبُ بِكِتَابِ اللَّهِ وَأَنَا بَيْنَ أَظْهُرِكُمْ»

"Shall Allah's Book be played with while I am among you?"^[1]

In the Two *Sahihs*, it is reported on the authority of Ibn 'Umar, may Allah be pleased with them, when he was asked about divorce, he said: "If you divorced her three times, then you have

^[1] An-Nasai' no. 3430.

disobeyed your Lord in what He has commanded you regarding the divorce of your wife.”

Ibn Baz

The Frequent Use of Divorce

Q The people’s use of divorce at the least excuse has increased; what is the ruling of the Islamic Law on this?

A What is legislated for the Muslim is to avoid using divorce when there is an argument between him and his wife or between him and the people, according to the saying of the Prophet ﷺ:

«أُبْغَضُ الْحَلَالَ إِلَى اللَّهِ عَزَّوَجَلَّ الطَّلَاقُ»

“The most hated of all permissible things in the sight of Allah is divorce.”^[1]

And due to the evil consequences which result from it.

Divorce is only permissible when there is a need for it; and it might be preferred if benefit(s) result from it, or the harm of the woman remaining with him is great. And the Sunnah is not to divorce her in cases of need, except by pronouncing the divorce one time. This is so it remains possible for him to take her back if he wishes to do so - as long as she is still in her waiting period — or to make a new contract if she has completed the waiting period. Also, it is lawful for him to divorce her when she is pregnant, or when she is purified (from menses) and he has not had sexual intercourse with her. This is because when Ibn ‘Umar, may Allah be pleased with them, divorced his wife while she was menstruating, the Prophet ﷺ ordered him to take her back and to keep her with him until she had become purified, then menstruated, then become purified, and then he should divorce her, if he wished, without touching her (i.e. having

^[1] Abu Dawud no. 2178 and Ibn Majah no. 2018.

sexual intercourse with her). And he said to him: This is the waiting period which Allah has commanded for the divorcing of women.

In another narration by Muslim, it is reported that the Prophet ﷺ said to 'Umar, may Allah be pleased with him:

«مُرُهُ - يَعْنِي ابْنُهُ عَبْدَ اللَّهِ - فَلْيُرَاجِعْهَا ثُمَّ لِيُطْلِقْهَا طَاهِرًا أَوْ حَامِلًا»

"Order him (i.e. his son, 'Abdullah, may Allah be pleased with him) to take her back then divorce her when she is purified (from menses) or pregnant."^[1]

It is not permissible for him to divorce her while she is menstruating nor when she has post-childbirth bleeding, nor when she is purified and he has had sexual intercourse with her. This is based upon the aforementioned *Hadith* of Ibn 'Umar, may Allah be pleased with them. It is also explained in the Words of Allah, Most High:

﴿بِأَيِّهَا الَّتِي إِذَا طَلَقْتُمُ النِّسَاءَ فَطَلَّقُوهُنَّ عِدَّتِهِنَّ﴾

"O Prophet (ﷺ)! When you divorce women, divorce them at their 'Iddah (prescribed periods) and count (accurately) their 'Iddah (periods)."^[2]

It is also impermissible for him to pronounce divorce on her three times in one saying and in one meeting, according to the narration of An-Nasa'i, with a *Hasan* chain of narrators, on the authority of Mahmud bin Lubayd, may Allah be pleased with him, who reported that the Prophet ﷺ was informed about a man who had pronounced divorce on his wife three times at once, and he stood up angrily and said:

«أَيُّلَعَبُ بَكْتَابِ اللَّهِ وَأَنَا بَيْنَ أَظْهُرِكُمْ»

"Shall Allah's Book be played with while I am among you?"^[3]

[1] Muslim no. 1471.

[2] *At-Talaq* 65:1.

[3] An-Nasai' no. 3430/3.

In the narration in the Two *Sahihs*, on the authority of Ibn 'Umar, may Allah be pleased with them, said to the man who had divorced his wife three times at once: "You have disobeyed your Lord in what He has commanded you regarding the divorce of your wife." And Allah is the Granter of success.

Ibn Baz

Some of the Reasons For Divorce

Q What are the causes of divorce in the view of Your Eminence?

A There are many reasons for divorce, including lack of harmony between the husband and wife, if one of them does not love the other, or neither of them loves the other. Another reason is the ill-nature of the wife or lack of obedience towards her husband in what is reasonable. Still another reason is the ill-nature of the husband and his injustice towards his wife and lack of fairness to her. Another reason is his inability to fulfill her rights, or her inability to fulfill his rights. And among them is the occurrence of acts of disobedience by one of them, or both of them, such that the situation between them deteriorates, until the end result is divorce. Another cause is the husband taking intoxicants or smoking, or the wife doing so. Yet another cause is a bad situation between the wife and the husband's parents, or one of them, and not using wise treatment (of each other) or one of them. And among them is the woman's lack of regard for cleanliness, and wearing nice clothing for the husband, a pleasant odor, good speech and a friendly smile when meeting and being together.

Ibn Baz

Q Among the causes of divorce, O Eminent Shaikh, is the husband's failure to see his wife before consummating the marriage with her, although the Islamic Law has permitted this. What comment does Your Eminence have

regarding this matter?



There is no doubt that the husband not seeing the wife before the wedding might be a reason for divorce if he finds her to be different from the way she was described to him. This is why Allah, Most Glorified has legislated for the groom to see the woman before the marriage when he able to do so. The Prophet ﷺ said:

«إِذَا خَطَبَ أَحَدُكُمْ الْمَرْأَةَ فَإِنْ اسْتَطَاعَ أَنْ يَنْظُرَ مِنْهَا إِلَى مَا يَدْعُوهُ إِلَيْهَا فَليَفْعَلْ»

"If one of you proposes to a woman, if he is able to see enough of her to encourage him to marry her, then he should do so."^[1]

Narrated by Ahmad and Abu Dawud with a *Hasan* chain of narrators and authenticated by Al-Hakim from the *Hadith* of Jabir, may Allah be pleased with him.

Ahmad, At-Tirmithi, An-Nasa'i and Ibn Majah narrated that Al-Mughirah bin Shu'bah, may Allah be pleased with him, proposed to a woman, and the Prophet ﷺ said:

«أَنْظُرْ إِلَيْهَا فَإِنَّهُ آخَرَى أَنْ يُؤَدَمَ بَيْنَكُمَا»

"Look at her, for that is more appropriate in order that there may be good relations between you."^[2]

In his *Sahih*, Muslim narrated, on the authority of Abu Hurairah, may Allah be pleased with him, that a man mentioned to the Messenger of Allah ﷺ that he had proposed to a woman and he ﷺ said to him:

«أَنْظَرْتَ إِلَيْهَا»

"Have you looked at her?"^[3]

[1] Abu Dawud no. 2082 and Ahmad 3/334.

[2] At-Tirmithi no. 1087.

[3] Muslim no. 1424.

These *Hadiths* and others which carry the same meaning all prove the legality of looking at the woman to whom marriage is proposed before making the contract of marriage, because that is more likely to bring success and a good result. This is one of the merits of the Islamic Law, bringing everything of goodness for the creatures and happiness for the society in this life and in the Hereafter. Most Glorified is He Who legislated it, perfected it, and made it like the ship of Nuh — whoever stood firm upon it will be saved, and whoever departed from it will be destroyed.

Ibn Baz

It is Prohibited for the Divorced Wife Who May Be Taken Back to Leave the House of Her Husband

Q It is observed that when the husband divorces his wife, she leaves the house immediately and spends her waiting period in the house of her family. But what we know from the Islamic Law is that the wife should spend the waiting period in the house of her husband, since it may be that he will take her back, either by words or by having sex with her. In this way, the preservation of the family results and divorce does not occur. So what is Your Eminence opinion regarding the current practice of the divorced woman immediately going to the house of her family?

A It is obligatory upon the divorced woman whose divorce is not irrevocable, who has been divorced once after consummation or seclusion, or the wife who has been divorced twice — to remain in the house of her husband. Hopefully, he may take her back; and it is preferred for her to make herself attractive to him in order to encourage him to take her back, according to the Words of Allah, the Almighty, the All-Powerful:

﴿يَا أَيُّهَا النَّبِيُّ إِذَا طَلَّقْتُمُ النِّسَاءَ فَطَلِّقُوهُنَّ لِعَدَّتِهِنَّ وَأَحْصُوا الْعِدَّةَ وَاتَّقُوا اللَّهَ رَبَّكُمْ لَا تُخْرِجُوهُنَّ مِنْ بُيُوتِهِنَّ وَلَا يَخْرُجْنَ إِلَّا أَنْ يَأْتِيَنَّ بِفَحْشَةٍ مُبِينَةٍ وَبِئْسَ مَا تَفْعَلُونَ ۚ وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَقَدْ ظَلَمَ نَفْسَهُ لَا تَدْرِي لَعَلَّ اللَّهَ يُحْدِثُ

بَعْدَ ذَلِكَ أَمْرًا ﴿٦٥﴾

"O Prophet (ﷺ)! When you divorce women, divorce them at their 'Iddah (prescribed periods) and count (accurately) their 'Iddah (periods). And fear Allāh your Lord (O Muslims). And turn them not out of their (husband's) homes nor shall they (themselves) leave, except in case they are guilty of some open illegal sexual intercourse. And those are the set limits of Allāh. And whosoever transgresses the set limits of Allāh, then indeed he has wronged himself. You (the one who divorces his wife) know not it may be that Allāh will afterward bring some new thing to pass (i.e. to return her back to you if that was the first or second divorce)."^[1]

This Noble Verse proves that it is not permissible for her to leave; rather, it is incumbent upon her to remain in the house of her husband and not to leave it. So that haply, Allah might afterwards bring some new thing to pass — and that is to take her back.

Ibn Baz

Divorce According to the Sunnah

Q A person divorced his wife twice in succession due to some dispute that occurred between them. The next day, they were reconciled by the arrival of the wife's brother and some family members. Has divorce taken place between them, bearing in mind that the man was angry and suffering from nervous tension at the time when the divorce was pronounced?

A Divorce according to the Sunnah is that a man divorces his wife when it is necessary, at a time when she is purified (of menses) before he has had sexual intercourse with her during that period of purity. Divorce is one only, and she should

^[1] At-Talaq 65:1.

remain in his house for the duration of the waiting period, according to the Words of Allah, Most High:

﴿أَسْكِنُوهُنَّ مِنْ حَيْثُ سَكَنْتُمْ﴾

“Lodge them (the divorced women) where you dwell,”^[1]

Then when the waiting period is over, if he has not taken her back, she should veil herself from him and leave; and she becomes forbidden to him, except with her approval, and a new marriage contract.

Divorcing three times at once is an innovation, but it is counted, according to the majority of scholars, and the wife is not permissible for him except after another man has married her (and divorced her). As for two pronouncements of divorce, it is permissible to take her back after them during the waiting period, just as it is permissible after one divorce. As for divorce at the time of anger, it is counted according to the majority of scholars, as long as he is rational. And some of the scholars say that it is not counted if the anger is intense — and there are details about this which are well known.


Ibn Jibreen

The Ruling on Divorcing a Menstruating Woman, and Does it Count?

Q There is a woman who is the mother of two children and her husband divorced her. At the time of the divorce, she was not purified, but she did not inform her husband of this, and even when they went to the Judge, she hid this fact from him, although she told her mother, who said: “Do not inform the Judge of it, for if you do, you will not be divorced.” Then she went to her family, then she wanted to return to her husband, out of fear that the children would go astray and not be taken care of. So what is the ruling on this

^[1] *At-Talaq* 65:6.

divorce which occurred when she had her monthly period?

 Scholars disagree regarding the divorce which takes place while the woman has her monthly period, and the debate about this is lengthy. As to whether the divorce is valid or invalid: The majority of scholars hold the view that it is valid, and the woman is considered to have been divorced once accordingly. But he (the husband) is ordered to take her back and to keep her until she becomes purified from her menses, then she has another menstrual period, then she becomes purified again. After that, if he wishes, he may take her back and if he wishes, he may divorce her. This is the opinion of the majority of the scholars, including the four Imams, Imam Ahmad, Ash-Shafi'i, Malik and Abu Hanifah.

However, the more authoritative opinion in our view is that which was the choice of *Shaikh Al-Islam* Ibn Taimiyyah — may Allah have mercy on him — which is that divorce at the time of the monthly period is not counted, nor is it valid.

This is because it contradicts the Command of Allah and His Messenger. The Prophet ﷺ said:

«مَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ»

"Whoever performs a deed which is not from this matter of ours will have it rejected."^[1]

The evidence for this in the very same question is the *Hadith* of 'Abdullah Ibn 'Umar, may Allah be pleased with them, who divorced his wife during her menstrual period. The Prophet ﷺ was informed of it and he became very angry with him and said:

«مُرَّه فَلْيَرَا جَعَهَا ثُمَّ لِيَتْرُكْهَا حَتَّى تَطْهَرَ ثُمَّ تَحِيضَ ثُمَّ تَطْهَرَ، ثُمَّ إِنْ شَاءَ أَمْسَكَ بَعْدُ وَإِنْ شَاءَ طَلَّقَ»

"Order him to take her back, then leave her until she is purified, then she has a menstrual period, then becomes purified. Then if he

^[1] Muslim no. 1718.

wishes, he may keep her after that, and if he wishes, he may divorce her.”^[1]

The Prophet ﷺ said:

«فَتِلْكَ الْعِدَّةُ الَّتِي أَمَرَ اللَّهُ أَنْ يُطَلَّقَ لَهَا النِّسَاءُ»

“This is the waiting period which Allah has commanded for divorcing women.”^[2]

So the waiting period which Allah has commanded for divorcing of women, is that the man divorces her while she is in a state of purity, without having sexual intercourse with her. Based upon this, if he divorces her while she is menstruating and he does not divorce her according to the Command of Allah, then it is rejected.

So we consider that the divorce which was pronounced upon this woman is invalid and that the woman remains under her husband’s guardianship; and whether the man believed her to be purified or not when he divorced her, it does not matter. Yes, consideration is not given to his knowledge, but if he knew, he incurs a sin while the divorce is not counted. And if he did not know, the divorce is invalid and there is no sin upon the husband.

Ibn ‘Uthaimin

The Ruling on Divorcing a Pregnant Woman

Q I divorced my wife and five months after I had married another, I became aware that a daughter had been born to me. Is the divorce permissible or not, since I did not know that she was pregnant? And is it permissible for me to take her back or not? When I visited my daughter, the divorced wife’s father refused to accept a fixed sum of money which I pay every month for the daughter. Bearing in mind that every

^[1] Al-Bukhari no. 5251 and Muslim no. 1471.

^[2] Al-Bukhari no. 5251 and Muslim no. 1471.

month, when I visit her, I bring only clothes for her, is there any responsibility upon me or any sin? Advise us, and may Allah bless you.

A The divorce of a pregnant woman is valid and it is counted, because it is a divorce according to the Sunnah, as opposed to divorcing a menstruating woman, which is an innovation. Similarly, divorcing a woman who is not pregnant, if her husband has had sexual intercourse with her during that period of purity, then divorced her and it is not clear if she was pregnant, this is an innovation. In any case, this divorce is counted and it is valid. If the divorce is the first or second, it is permissible for him to take her back, if she accepts it and with a new contract and a new dowry. If it is the third, then she is not permissible for you until after she has married another.

You must spend on your wife for the duration of her pregnancy, and if it has passed, and you did not spend on her until the child began breast-feeding, the requirement of that spending is lifted from you. As for spending upon your daughter, it is obligatory for you. But if during the pregnancy, the spending was taken care of by the mother's father, then the responsibility is lifted from you. And if you give them a sum which you have agreed upon, without it being fixed, there is no objection. But if you disagree regarding the fixing of the sum, you may raise the matter with the Judge of the town in order to determine the rightful sustenance for this child every month. And Allah knows best.

Ibn Jibreen

Divorcing a Pregnant Woman

Q Is it permissible to divorce a pregnant wife or not?

A There is no objection in divorcing a pregnant woman; the Prophet ﷺ said to 'Abdullah bin 'Umar, may Allah be pleased with them, when he divorced his wife who was

experiencing her menstrual period: Return her, then keep her with you until she becomes purified, then she has a menstrual period, then becomes purified, then divorce her, if you wish, while she is purified and without touching her (i.e. not having sexual intercourse with her) or while she is pregnant.

Ibn Baz

Divorce is Disliked Unless it is Necessary

Q I am a young Muslim man and I am married, with two children. I married in the year 1981 C. E. and I loved and honored my wife very much, but she hates me and slanders my father and mother. I have tried to explain to her all of her faults, but she says I am ignorant and uneducated and she even refuses to pray. I wish to divorce this woman but I want to follow the right way, especially regarding her rights and those of the two children. Therefore, I request (the benefit of) your advice and may Allah benefit you.

A Divorce is disliked, unless there is a need for it. But if the matter is as you have stated, especially regarding her refusal to pray, then it is not permissible for you to keep this woman. So divorce her according to the Sunnah, which is to pronounce divorce on her once while she is purified from menses, while you have not had sexual intercourse with her. Then let her stay in the house until she has completed her waiting period and give her support, such as clothing and sustenance, and leave the two children with her until she marries.

Then you have the right to take them from her, and you must support them as long as they are with her, giving them an amount which is considered customary according to the difficulty or ease (which you face):

﴿سَيَجْعَلُ اللَّهُ بَعْدَ عُسْرٍ يُسْرًا﴾

“Allāh will grant after hardship, ease.”^[1]

And Allah knows best.

Ibn Jibreen

An Invalid Wager

Q What is the ruling of the Islamic Law on a man who wagers with another man that both of them will marry within a certain period of time and if the marriage of either of them is not accomplished, then he must divorce his wife, and this was a condition which was agreed upon by both of them?

A This wager is invalid and it is not required of the one who does not live up to a wager to divorce his wife. He should make atonement for the oath, and that is the saying of a number of the *Salaf* — may Allah have mercy on them — and they considered these words and their like to fall under the ruling of oaths and some of the scholars hold that there is no atonement for it.

Ibn Baz

Regarding the Statements Used for Divorce, and Which of them are Valid

The Ruling on Pronouncing Divorce Three Times at Once

Q A man pronounced divorce on his wife three times at once, what is the ruling (on this)?

A If a man pronounces divorce on his wife three times, by saying to her: “You are thrice divorced,” then the majority of the scholars hold that the three divorces upon the woman are counted, and that she is then forbidden to her husband, until

^[1] *At-Talaq* 65:7.

she marries another man of her choice — not *Nikah At-Tahleel* — and he has sexual intercourse with her and then parts from her by death or divorce. As evidence for this, they cited the fact that ‘Umar bin Al-Khattab, may Allah be pleased with him, endorsed it for the people. Others among the scholars held that it is considered to be only one divorce, and that he may take her back as long as she is still in her waiting period. If she completed her waiting period, it is permissible for him to marry her with a new contract. As evidence, they cited the *Hadith* confirmed in *Sahih Muslim* on the authority of Ibn ‘Abbas, may Allah be pleased with them, in which he said: “In the time of the Prophet ﷺ and in the time of Abu Bakr, may Allah be pleased with him, and for two years during the Caliphate of ‘Umar, may Allah be pleased with him, three pronouncements of divorce were considered one. ‘Umar, may Allah be pleased with him said: ‘Verily the people have been impatient in a matter in which they should be patient, so if we carry it out upon the people (it would be better).’ So he carried it out upon them.

In another narration by Muslim, it is reported that Abu As-Sahba’ said to Ibn ‘Abbas, may Allah be pleased with them: “Were not three taken as one, in the time of the Prophet ﷺ and in the time of Abu Bakr, may Allah be pleased with him, and for three years of the rule of ‘Umar, may Allah be pleased with him?” He replied: “Yes.”

They also cited evidence in the narration of Imam Ahmad in his *Musnad*, with a good (*Jayyid*) chain of narrators, on the authority of Ibn ‘Abbas, may Allah be pleased with them, in which it is stated that Abu Rukanah pronounced divorce on his wife thrice, and he became very depressed over her. The Prophet ﷺ returned her to him, saying:

«إِنَّهَا وَاحِدَةٌ»

“It is only one (divorce).”

They use this *Hadith* and the one before it to apply to a divorce pronounced three times simultaneously. This reconciles be-

tween these two *Hadiths* and the Words of Allah, Most High:

﴿الطَّلُقُ مَرَّتَانٍ﴾

“The divorce is twice,”^[1]

And the Words of Him, the Almighty, the All-Powerful:

﴿فَإِنْ طَلَّقَهَا فَلَا تحِلُّ لَهُ مِنْ بَعْدُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ﴾

“And if he has divorced her (the third time), then she is not lawful unto him thereafter until she has married another husband.”^[2]

And Ibn ‘Abbas, may Allah be pleased with them, held this opinion, according to an authentic narration from him, and he supported the view of the majority in another narration from him.

The view that it is counted as one is narrated from ‘Ali, ‘Abdur-Rahman bin ‘Awf and Az-Zubair bin Al-‘Awwam — may Allah be pleased with all of them — and this was the opinion of a group among the *Tabi‘in* and Muhammad bin Ishaq, the author of *As-Sirah*, as well as a group of the earlier and the later scholars and *Shaikh Al-Islam* Ibn Taimiyyah and his student, Ibn Al-Qayyim — may Allah have mercy on them both — and that is my verdict. This is because by it, all of the evidences are acted upon, and also because therein lies mercy and kindness for the Muslims.

Ibn Baz

The Ruling on Pronouncing Divorce Thrice by Various Expressions

From ‘Abdul-‘Aziz bin ‘Abdullah bin Baz

To the dear brother M. H. — may Allah increase him in knowledge and faith, and make him blessed wherever he may be — Ameen.

^[1] *Al-Baqarah* 2:229.

^[2] *Al-Baqarah* 2:230.

May the Peace, mercy and blessings of Allah be upon you. As for what follows:

Your kind letter, dated 1st Muharram 1395 A. H. reached me — may Allah grant you guidance — I was pleased to hear of your good health — all praise and thanks be to Allah for that.

Regarding your desire to know our view concerning the method of inviting (people to Islam), there is none better than that to which Allah directs us in His Words:

﴿وَمَنْ أَحْسَنُ قَوْلًا مِّمَّنْ دَعَا إِلَى اللَّهِ وَعَمِلَ صَالِحًا وَقَالَ إِنَّي مِنَ الْمُسْلِمِينَ﴾

“And who is better in speech than he who [says: “My Lord is Allāh (believes in His Oneness),” and then stands firm (acts upon His Order), and] invites (men) to Allāh’s (Islāmic Monotheism), and does righteous deeds, and says: “I am one of the Muslims.”^[1]

and in the Words of Him, Most Glorified:

﴿قُلْ هَذِهِ سَبِيلِي أَدْعُو إِلَى اللَّهِ عَلَى بَصِيرَةٍ أَنَا وَمَنِ اتَّبَعَنِي﴾

“Say (O Muhammad ﷺ): “This is my way; I invite unto Allāh (i.e. to the Oneness of Allāh — Islāmic Monotheism) with sure knowledge, I and whosoever follows me (also must invite others to Allāh, i.e. to the Oneness of Allāh — Islāmic Monotheism with sure knowledge).”^[2]

and in the Words of Him, the Almighty, the All-Powerful:

﴿ادْعُ إِلَى سَبِيلِ رَبِّكَ بِالْحُكْمِ وَالْمَوْعِظَةِ الْحَسَنَةِ وَجِدِلْهُمْ بِالَّتِي هِيَ أَحْسَنُ﴾

“Invite (mankind, O Muhammad ﷺ) to the way of your Lord (i.e. Islām) with wisdom (i.e. with the Divine Revelation and the Qur’ān) and fair preaching, and argue with them in a way that is better.”^[3]

[1] Fussilat 41:33.

[2] Yusuf 12:108.

[3] An-Nahl 16:125.

So we advise you to proceed in the light of these Verses, with patience and forbearance, avoiding severity and harshness, because this causes aversion to acceptance of the truth, as is well known. And we ask Allah that He help you and bless your endeavors, and that He make all of us among those who call to (correct) guidance and the supporters of the truth. Verily, He is the Best One to ask.

As for the ruling on pronouncing divorce three times, using different expressions, based upon what has become clear to me from the evidences it requires clarification. The scholars have explained it according to the different reasons for the repetition. The majority of the scholars hold that three pronouncements of divorce upon the wife are counted, if she was in her waiting period — whether the husband pronounced them in one word or in a number of words — unless he pronounced it in words which might be interpreted to mean that he intended only to emphasis it by the second or the third repetition, such as by saying: “You are *Taliq, Taliq, Taliq!*” or: “You are *Mutallaqah, Mutallaqah, Mutallaqah!*”^[1] or other such expressions.

In such cases, the divorce upon his wife is not counted except as one, and the second and third repetitions are considered emphasis for the first, if the husband did not intend to pronounce divorce three times, but only said it for the purpose of emphasis, or to make the woman understand, or he did not mean anything by it, but repeated it out of anger or for some other reason, without intending to pronounce three divorces.

However, if his words cannot be interpreted as emphasis, such as his saying: “(You are) *Taliq*, then *Taliq*, then *Taliq!*” or: “You are *Taliq* and *Taliq* and *Taliq!*” and other such sayings, then this is counted as three divorces, according to the majority of scholars and likewise his saying: “You are *Taliq*, you are *Taliq*, you are *Taliq.*” or: “You are *Mutallaqah*, you are *Mutallaqah*, you are *Mutallaqah!*”

^[1] *Taliq* and *Mutallaqah*: Divorced.

In such cases, it is considered by the majority to be like the examples mentioned before it, unless he intended by it to emphasize it or to make her understand by saying: “You are *Taliq*, you are *Taliq*, you are *Taliq*!” or: “You are *Mutallaqah*, you are *Mutallaqah*, you are *Mutallaqah*!”

The preferred view of *Shaikh Al-Islam*, Taqiyy Ad-Deen Ibn Taimiyyah — may Allah have mercy on him — was that only one divorce is counted by all of these different expressions, just as if he pronounced divorce thrice upon her simultaneously, and he cited as evidence for this the *Hadith* of Ibn ‘Abbas, may Allah be pleased with them, which is narrated in *Sahih Muslim* and whose wording is: “In the time of the Prophet ﷺ and in the time of Abu Bakr, may Allah be pleased with him and for two years during the Caliphate of ‘Umar, may Allah be pleased with him, three pronouncements of divorce were considered one, and ‘Umar, may Allah be pleased with him said: ‘Verily the people have been impatient in a matter in which they should be patient, so if we carried it upon the people (it would be better).’ So he carried it out upon them.”

There are other wordings for this narration reported by Muslim and others. And *Shaikh Al-Islam* Ibn Taimiyyah — may Allah have mercy on him — explained the ruling on this matter in his books, the most complete of which was transmitted from him by *Shaikh ‘Abdur-Rahman bin Qasim* in *Majmu’ Al-Fatawa* and he — may Allah have mercy on him — considered that the second pronouncement of divorce on the woman is not counted, unless it was pronounced after she was married or after she was returned to him following divorce — and likewise, the third pronouncement. But I do not know of any clear evidence upon which one may depend on, except the generality of the aforementioned *Hadith* of Ibn ‘Abbas, may Allah be pleased with them, and his other *Hadith* regarding the story of Abu Rukanah, may Allah be pleased with him, and they are not unequivocal with regard to this matter.

The verdict which I have given for the last thirty years or more,

is that (the pronouncement of) three divorces are only counted as one, if the husband pronounced them simultaneously, because this is the narrowest interpretation of the two aforementioned *Hadiths* of Ibn 'Abbas, may Allah be pleased with them. Likewise, all of these expressions, — only one divorce is counted by them, according to the most correct view, if the husband intended divorce by them, because they are weaker than the pronouncement of divorce thrice in one saying; so if it was permissible to consider it one divorce, it would be more obligatory for the expression to be considered one, as long as he did not repeat it.

Al-'Allamah Ibn Al-Qayyim — may Allah have mercy on him — has spoken at length on this matter in *I'lam Al-Muwaqi'in*, *Zad Al-Ma'ad* and *Ighatah Al-Lahfan*.

All of this in case the husband was rational and acting of his own free will at the time when he pronounced the divorce. As for one who is coerced, or is not rational or has a fierce temper which alters his rationality, then their divorce is not counted, as is well known.

However, if the anger is intense, but it does not diminish his rationality, there is a well known difference of opinion among the scholars over whether or not the divorce is counted.

As for slight anger, it does not prevent divorce being counted, according to the consensus of the Muslims. Thus it is clear to you that anger falls into three categories:

In the first case, rationality and sense are removed by it and in this case, the divorce is not counted according to the consensus of the scholars, as is the case with the divorce of an insane person, a feeble-minded person or a person whose rationality is lost. These are excused of responsibility for their actions, and likewise the sinning drunkard, according to the most authoritative of two opinions held by the scholars, if he knew that he had pronounced divorce when he was drunk and his rationality was altered.

The second case is when the anger is intense and he is compelled to divorce, but his senses are not altered by it. In this case there is a difference of opinion — but what seems most clear is that the divorce is not counted in this situation, and this was the choice of *Shaikh Al-Islam* Ibn Taimiyyah and his student, Ibn Al-Qayyim (may Allah have mercy on them both). Ibn Al-Qayyim (may Allah have mercy on him) wrote a small treatise on this, which he called: *Ighathah Al-Lahfan Fi Hukm Talaqil-Ghadhban*, which is well-written and most beneficial.

The third situation is when the anger is slight and this does not prevent the divorce being counted, according to the consensus of the scholars — and Allah, Most Glorified, Most High knows best. And may the peace, mercy and blessings of Allah be upon you.

Ibn Baz

He Said to His Wife: “You Will Not Be Permissible to Me Again”

Q I am a young married man, and a disagreement took place between my mother and my wife and I said to my mother: “She will not be permissible again to me,” — with the intention of divorce. Then I sought the verdict of one of the scholars and he said: “This oath of yours falls into the category of *Zihar*, so you should fast for two months, or if you cannot, you should feed sixty poor persons.” And since my wife is in my company in the house and I feared that I would not have the patience to refrain from (having sex with) her for two months, I chose to feed sixty poor persons with bread from one of the bakeries and I distributed it one night to sixty poor persons. This occurred about a year ago, does it compensate for my oath?

A If you intended divorce by it, then it is counted as one divorce upon her. It is not *Zihar*, nor is there any atonement required from you; rather, it is a divorce, because


you intended divorce by it, according to the most authoritative of opinions held by the scholars. The Prophet ﷺ said:


«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ وَإِنَّمَا لِكُلِّ امْرِئٍ مَّا نَوَىٰ»

“Deeds are according to intentions and every person shall have what he intended.”^[1]

Ibn Baz

He Said to His Wife: “You Are Not Under My Protection”

 One night, I went to my wife’s room and found that she had locked the door, so I knocked on it, but she did not open it, so I returned and slept in the men’s sitting room. In the morning, I went to her and asked her: “Why did you lock the door?” She gave me an unconvincing answer, and at that moment I was angry with her, so I said to her: “As of yesterday, you are not under my protection.” Then I returned, but within five minutes, I changed my mind and said these words exactly: “I ask Allah, the Almighty’s Forgiveness.” — three times, (then I said:) “O Allah! Forgive me and pardon me.” I seek your advice concerning what I should do regarding this, may Allah preserve you?

 We advise you, O my brother, to be forbearing and patient and not to be hasty with your wife. Because the woman is created from a bent rib, and if you take pleasure in her, you will find that the pleasure is from the bent area, and if you try to straighten it, you will break it - and breaking it means divorcing her. So you should act slowly and not be hasty in divorcing her for the slightest reason. If you become angry, control yourself so that you do not do something which you will regret. It has been reported in a *Hadith*:

^[1] Al-Bukhari no. 1 and Muslim no. 1907.

«إِنَّمَا الشَّدِيدُ الَّذِي يَمْلِكُ نَفْسَهُ عِنْدَ الْغَضَبِ»

“The strong person is one who controls himself when he is angry.”^[1]

Secondly, these words which you pronounced upon your wife are considered a clear divorce and not an unclear, imprecise expression, but they depend upon the intention: If you intended by them to pronounce divorce three times, then it is counted, according to the majority of scholars; but if you only intended by it one divorce, then you may take her back in that case, as long as she is still in her waiting period. If you desire further clarification, then you may write to the Permanent Committee for Religious Verdicts, at the Presidency of Scientific Researches, Religious Verdicts, Preaching and Guidance. And Allah knows best.

Ibn Jibreen

Cursing the Wife

Q What is the ruling on a husband intentionally cursing his wife? Does his wife become unlawful for him due to him cursing her? Or does that result in the judgement of divorce? And what is the atonement for that?

A A man cursing his wife is something detestable and it is not allowed. Indeed, it is a major sin, according to the *Hadith* authentically reported from the Prophet ﷺ in which he said:

«إِنَّ اللَّعَّانِينَ لَا يَكُونُونَ شُهَدَاءَ وَلَا شُفَعَاءَ يَوْمَ الْقِيَامَةِ»

“Verily, those who curse will neither be martyrs nor will they receive intercession on the Day of Resurrection.”^[2]

It is incumbent upon him to turn to Allah in repentance for this,

^[1] Al-Bukhari no. 6114 and Muslim no. 2609.

^[2] Muslim no. 2598.

and ask for forgiveness from his wife for the curse which he invoked upon her. Whoever turns to Allah in sincere repentance, Allah will turn to him with Forgiveness.

His wife remains under his guardianship and she is not forbidden to him due to his cursing her. It is incumbent upon him to live together with her with kindness and to guard his tongue against every word which angers Allah, Most Glorified. It is incumbent upon his wife also to be on good terms with her husband and to guard her tongue against that which angers Allah, the Almighty, the All-Powerful and against that which angers her husband, except in truth; Allah, Most Glorified says:

﴿وَعَاشِرُوهُنَّ بِالْمَعْرُوفِ﴾

"and live with them honourably."^[1]

And He, the Almighty, the All-Powerful says:

﴿وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌ﴾

"but men have a degree (of responsibility) over them."^[2]

And through Allah is the Granter of success.

Ibn Baz

A Whispered Pronouncement of Divorce Does Not Count

Q There is a man who often whispers the pronouncement of divorce upon his wife; and often, he speaks with her about a certain matter and he finds himself saying: "You are *Taliq*," secretly to himself, without saying it aloud. This has caused him much doubt within himself; what should he do?



Before answering this question, I would like to make clear to my brother who asked the question and to others, that

^[1] *An-Nisa'* 4:19.

^[2] *Al-Baqarah* 2:228.

Allah, Most High says:

﴿إِنَّ الشَّيْطَانَ لَكُمْ عَدُوٌّ فَاتَّخِذُوهُ عَدُوًّا إِنَّمَا يَدْعُوا حِزْبَهُ لِيَكُونُوا مِنْ أَصْحَابِ السَّعِيرِ﴾

“Surely, Shaitān (Satan) is an enemy to you, so take (treat) him as an enemy. He only invites his Hizb (followers) that they may become the dwellers of the blazing Fire.”^[1]

So the devil attacks the heart, causing worry and mental distress, making his life unhappy. Listen to the Words of Allah, Most High:

﴿إِنَّمَا التَّخَوُّي مِنَ الشَّيْطَانِ لِيَحْزَنَ الَّذِينَ ءَامَنُوا وَلَيْسَ بِضَارِّهِمْ شَيْئًا إِلَّا بِإِذْنِ اللَّهِ وَعَلَى اللَّهِ فَلْيَتَوَكَّلِ الْمُؤْمِنُونَ﴾

“Secret counsels (conspiracies) are only from Shaitān (Satan), in order that he may cause grief to the believers. But he cannot harm them in the least, except as Allāh permits. And in Allāh let the believers put their trust.”^[2]

It should be clear to you that Satan ardently pursues those things which make a person sad, just as he pursues those things which corrupt one's religion. The way for man to be safe from him is to turn to his Lord with truth and sincerity, and to seek refuge with Allah from the accursed Satan, in accordance with the Words of Him, Most High:

﴿وَإِمَّا يَنْزَغَنَّكَ مِنَ الشَّيْطَانِ نَفْسٌ فَاسْعِدْ بِاللَّهِ إِنَّهُ هُوَ السَّمِيعُ الْعَلِيمُ﴾

“And if an evil whisper from Shaitān (Satan) tries to turn you away (from doing good), then seek refuge in Allāh. Verily, He is the All-Hearer, the All-Knower.”^[3]

He should seek protection with Allah, the Almighty, the All-Powerful, so that He may protect him against this devil, who is

^[1] Fatir 35:6.

^[2] Al-Mujadilah 58:10.

^[3] Al-A'raf 7:200, Fussilat 41:36.

his enemy. If he seeks refuge with Allah from him, and turns to his Lord in truth, and if he himself shuns the devil, as if this whispering never existed, then Allah, Most Glorified, Most High will remove it from him.

My advice to this brother who suffers from this whispering that encourages him to divorce his wife, is to pay no heed to it at all and to completely shun it. And if he feels anger within himself, then let him seek shelter with Allah from the accursed Satan, so that Allah may remove it from him.

As for the legal view, the divorce does not occur due to this whispering, based on the saying of the Prophet ﷺ:

«إِنَّ اللَّهَ عَزَّوَجَلَّ تَجَاوَزَ لِأُمَّتِي عَمَّا حَدَّثَتْ بِهِ أَنْفُسُهَا مَا لَمْ تَعْمَلْ أَوْ تَتَكَلَّمَ بِهِ»

“Indeed Allah disregards for my community what occurs within themselves, as long as they do not act upon it nor utter it.”^[1]

So what a person says to himself is not considered anything. If such uttering is about divorce, then it is not counted, even though he made the intention to himself to divorce, it would not be a divorce even if he pronounced it, for example, saying: “My wife is divorced.”

Rather, the divorce uttered by one who suffers from this whispering is not counted even though he pronounced it with his tongue, if it was without the intention, because this pronouncement by his tongue comes from the whisperer without intention, and without desire. Rather he is imposed by coercion upon him and being forced to do it, due to the strength of the impulse and the lack of ability to prevent it. The Prophet ﷺ said:

«لَا طَلَّاقَ فِي إِغْلَاقٍ»

“There is no divorce in (cases of) Ighlaq (coercion).”^[2]

^[1] Al-Bukhari no. 2528 and Muslim no. 127.

^[2] Talkhis Al-Hubayr 3/210.

Therefore, if he did not truly intend it with a calm desire, then such divorce is not counted. This is something which occurs in spite of him, without him intending or choosing it, so divorce does not occur as a result of it.

Some people who are put to trial by this have told me: As long as I am tired and worried, I will divorce, so he divorces by his true desire in order to be free from this (whispering) which he finds within himself. This is a great mistake, and Satan desires nothing from the son of Adam but such as this — to split up him and his wife, especially if they have children.

So the important thing is that a person should reject all of these doubts about the past, and pay no regard to them and shun them, so that they will cease by the permission of Allah, the Almighty, the All-Powerful.

Ibn 'Uthaimin

Divorce in Writing

Q A man was sitting with his sister and he asked her to bring him a pen, then he wrote on a piece of paper: "Divorce, divorce" without addressing it to anyone, then his sister took the pen and wrote three times: "Divorce, divorce, divorce." Then he threw the paper to his wife and said to her: "Look at what I have written, is it correct?" And he did not intend to write these words to his wife.

A This divorce is not counted upon the woman mentioned, if he did not intend divorce by it, but only intended writing by it or intended something else other than divorce, according to the words of the Prophet ﷺ:

«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ»

"Deeds are according to intentions."^[1]


^[1] Al-Bukhari no. 1 and Muslim no. 1907.


This is the view of a large number of the scholars. Some of them have said that it is the saying of the majority, because writing carries the same meaning as an unclear statement, and divorce does not occur as a result of an unclear statement without an intention, according to the most authoritative of two opinions held by the scholars. This is the case unless the writing is accompanied by something that proves the intention to pronounce divorce, in that case, it would be counted. There is nothing in the aforementioned incident which proves that he intended to pronounce divorce, so the basic principle in the matter is that the marriage remains valid and the deed is according to the intention.

I ask Allah to grant success to all in understanding His religion, and to keep them firm upon it, for Verily, He is, Most Generous, Most Kind.

Ibn Baz

Divorce Simply by Intention Does Not Count

 I had an argument with my wife and after the argument, I said to myself, without speaking the words: "Why do I not say to her: "You are divorced."?" I will say to her: "You are divorced." Is anything incumbent upon me because of this, bearing in mind that I did not pronounce anything? Deliver a verdict for me, and may Allah reward you with goodness.

 If the situation is as you have described it in the question, then the aforementioned divorce is not counted, because divorce with only an intention does not count. Divorce only counts by speech or by writing, according to the words of the Prophet ﷺ:

«إِنَّ اللَّهَ عَزَّوَجَلَّ تَجَاوَزَ لَأُمَّتِي عَمَّا حَدَّثَتْ بِهِ أَنْفُسَهَا مَا لَمْ تَعْمَلْ أَوْ تَتَكَلَّمْ بِهِ»

"Indeed Allah disregards for my community what occurs within

themselves, as long as they do not act upon it nor utter it."^[1]

Narrated by Al-Bukhari and Muslim from the *Hadith* of Abu Hurairah, may Allah be pleased with him.

Ibn Baz

The Wife of the Adulterer is Not Divorced

Q Often, we hear about young men travelling abroad and marrying, and some of them — may Allah protect us — commit the sin of adultery; are their wives divorced or not?

A A man's wife is not divorced merely by him committing adultery. But it is an obligation upon him to avoid the kind of travelling and mixing that will lead to that. And it is incumbent upon him to fear Allah and beware that Allah is observing him, and to preserve his private parts from what Allah has forbidden, in accordance with the Words of Allah, Most Glorified:

﴿وَلَا تَقْرَبُوا الزِّنَىٰ إِنَّهُ كَانَ فَحِشَةً وَسَاءَ سَبِيلًا﴾

"And come not near to unlawful sex. Verily, it is a Fāhishah (i.e. anything that transgresses its limits: a great sin), and an evil way (that leads one to Hell unless Allāh forgives him)."^[2]

And the Words of Him, the Almighty, the All-Powerful:

﴿وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ وَمَنْ يَفْعَلْ ذَلِكَ يَلْقَ أَثَامًا ﴿١٨﴾ يُضَاعَفْ لَهُ الْعَذَابُ يَوْمَ الْقِيَامَةِ وَيَخْلُدْ فِيهِ مُهَانًا ﴿١٩﴾ إِلَّا مَنْ تَابَ وَآمَنَ وَعَمِلَ عَمَلًا صَالِحًا﴾

"And those who invoke not any other ilāh (god) along with Allāh, nor kill such person as Allāh has forbidden, except for just cause, nor commit illegal sexual intercourse — and whoever does this shall receive the punishment. The torment will be doubled to him

^[1] Al-Bukhari no. 2528 and Muslim no. 127.

^[2] *Al-Isra'* 17:32.

on the Day of Resurrection, and he will abide therein in disgrace; Except those who repent and believe (in Islāmic Monotheism),”^[1]

These two great Verses prove the prohibition of approaching adultery and the causes which lead to it. The second Verse indicates that the punishment is doubled for those who associate partners with Allah or kill someone without right or commit illegal sexual intercourse would abide in that state. This is a great threat, proving that illegal sexual intercourse is one of the major sins which results in punishment in the Hell-fire and remaining in it. But the abode in the Fire for the adulterer and the one who killed without right is not like the eternal punishment of the polytheist, because the punishment of one who associate partners with Allah does not end; rather it continues eternally.

As for the dwelling of the adulterer and the murderer — if they did not consider it lawful — it is a period that will end, according to *Ahl as-Sunnah wal-Jama'ah*.

It is correct that Allah's Messenger ﷺ said:

«لَا يَزْنِي الزَّانِي حِينَ يَزْنِي وَهُوَ مُؤْمِنٌ، وَلَا يَسْرِقُ السَّارِقُ حِينَ يَسْرِقُ وَهُوَ مُؤْمِنٌ، وَلَا يَشْرَبُ الْخَمْرَ حِينَ يَشْرَبُهَا وَهُوَ مُؤْمِنٌ»

“The adulterer does not commit adultery while he is a believer, and the thief does not steal while he is a believer, and the drinker does not drink Khamr (i.e. alcoholic beverages) while he is a believer.”^[2] (Agreed upon)

This *Hadith* proves the absence of faith in the adulterer, the thief and the drinker of alcohol at the time they commit these evil deeds, and it refers to the complete faith which is required of him. But it is the absence of his complete faith and the absence of his complete fear of Allah, Most Glorified and his

^[1] *Al-Furqan* 25:68-70.


^[2] *Al-Bukhari* no. 2475 and *Muslim* no. 57.


failure to call to mind the results of these evil deeds — such as unwholesome consequences — which leads him to commit them. And Allah is the Granter of success.

Ibn Baz

Conditional Divorce

He Said to Her: “If You Leave by This Door, You Are Divorced,” So She Left by Another Door

 I divorced my wife by saying to her: “If you leave by this door, you are divorced and forbidden to me, like my mother and my sister.” But unfortunately, she left, although not by the door which I had indicated. And because she has borne three children, I am asking about the ruling regarding what I said, and what I must do to get her back.

 Before answering this question, I would like to advise this brother and others not to play with words in this way. Because playing in such matters causes them and the scholars who deliver legal verdicts problems, and these problems have no end to them.

Whoever wishes to swear, he should swear by Allah, the Almighty, the All-Powerful, although the firm, resolute husband does not need such things; rather, simply a word is sufficient prohibition in order to make her refrain.

But as for the man who is weak when he stands before his family, so much so that he carries out their slightest whims, even though they may be contradictory to what is right, such a man lacks firmness, resolve, and manliness. Therefore, it is incumbent upon a man to be strong, without harshness and flexible without weakness, and to make his word carry weight, making it of value among his family, so that he may live a good life among them.

I am not by this, calling for him to be gloomy and frowning in

front of his family and not to show them a cheerful face; rather, I am calling for the opposite of that: That he behaves towards them with calmness, flexibility and goodness, but at the same time, to be firm and serious when he orders something, and not to be helpless.

As for the reply to the question, if a man says to his wife: "If you go out by this door, you are divorced and forbidden to me like my mother and my sister," it cannot fall outside two possible situations:

One is that he intended by this simply to prevent her from going out, not to divorce her, nor to make her forbidden. But based on his confirmation of this, that he wanted to combine this prohibition with this thing, then in this case, it would carry the ruling of an oath, according to the most authoritative view from among those held by the scholars. So if she went out of the door, she would not be divorced. However, it would be incumbent upon him to atone for his oath, and there is no difference between her leaving by the door which he indicated or another door in the house. Because, it is clear from his statement that he wanted her not to leave the house, and he did not mean that she should not leave from this particular door, unless there was something in this particular door which required it to be singled out for this decision, in which case, the matter would be referred to this.

The second situation is that he intended by his words: "If you leave by this door, you are divorced and forbidden to me, like my mother and my sister," that she would be divorced and forbidden to him if the condition was fulfilled — and in that case, it would be a condition carrying the same ruling as other conditions, so if the condition was present, the thing made conditional upon it would also be present. So if she left by this door or by a different door in the house, then she would be divorced and he would have committed *Zihar*. If she was divorced and she had not been divorced twice previously, he would be allowed to take her back. But he may not approach her until he had performed the

atonement for *Zihar* made incumbent upon him by Allah, which is that he free a slave, and if he is not able to do this, he must fast for two consecutive months, and if he is not able to do this, he must feed sixty poor persons.

There is no difference between her leaving by the door indicated, and leaving by a different door in the house. This is because it is apparent from his statement that he meant that she should not leave the house at all, even if she climbed a wall — unless there was something in that particular door which necessitated its being singled out for this decision, or this condition. Then, in this case, it would be particular for this door, and if she left by another door, she would not be divorced and the *Zihar* would not be confirmed.

Ibn 'Uthaimin

What is Made Conditional in Divorce is Dependent Upon the Condition

Q A man said to his wife when he was angry: "Consider yourself divorced today or tomorrow." And what he meant by that was the day in the future when he will submit the case for divorce to the Court. What is the ruling?

A Anger is a condition that seizes a person when something occurs that inflames him and excites his nerves. The Prophet ﷺ advised a man who said to him: "O Messenger of Allah! Advise me," He ﷺ said

«لَا تَغْضَبْ»

"Do not get angry."^[1]

And he (i.e. the man) repeated his request many times, but the Prophet ﷺ said:

«لَا تَغْضَبْ»

^[1] Al-Bukhari no. 6116.

“Do not get angry.”^[1]

The Prophet ﷺ informed us that anger is a smoldering ember that Satan casts into the heart of the son of Adam. The Prophet ﷺ praised the person who controls himself when he is angry, saying:

«لَيْسَ الشَّدِيدُ بِالصُّرْعَةِ، إِنَّمَا الشَّدِيدُ الَّذِي يَمْلِكُ نَفْسَهُ عِنْدَ الْغَضَبِ»

“Strength is not in fighting, the strong is only the one who controls himself when he is angry.”^[2]

Based upon this, it is incumbent upon man, when he senses anger, to use whatever means available to lessen that anger. Such as seeking refuge with Allah from the accursed Satan. Al-Bukhari and Muslim reported: “Two men abused each other in the presence of the Prophet ﷺ, the eyes of one of them became red as embers and the veins of his neck were swollen. Thereupon Allah’s Messenger ﷺ said:

«إِنِّي لَأَعْلَمُ كَلِمَةً لَوْ قَالَهَا لَذَهَبَ عَنْهُ مَا يَجِدُ، أَعُوذُ بِاللَّهِ مِنَ الشَّيْطَانِ الرَّجِيمِ»

“I know of a statement, which if he were to utter it, his fit of rage would be no more (and that wording is): I seek refuge with Allah from the accursed Satan.”^[3]

Based upon this, it is incumbent upon a man to control himself when he is angry, and not to be hasty in carrying out something the consequence of which may be unpleasant. The scholars have said that anger is of three types:

The First: When it causes the one afflicted by it to be unaware of what he is saying; in this case, there is no judgement on his words, whether he pronounced divorce, *Zihar*, *Iyla*^[4] or

^[1] Al-Bukhari no. 6116.

^[2] Al-Bukhari no. 6114 and Muslim no. 2609.

^[3] Al-Bukhari no. 6115 and Muslim no. 2610.

^[4] *Iyla*: An oath to refrain from sexual intercourse with one’s wife for a certain period. If the oath includes abstinence for more than four months, then the wife can request an end to it after that, or the husband must divorce her. For details, see Tafsir Ibn Kathir, *Surat Al-Baqarah* 2:226.

anything else, because it comes under the ruling of one who has lost his senses and his rationality.

The Second: When the anger is slight and the person controls himself, and he is able to do as he wishes. In this case, whatever he said, whether divorce or otherwise, would be implemented.

The Third: This is between the two (aforementioned) cases. One knows what he is saying, but due to the strength of his anger's power over him, he cannot control himself and so he pronounces divorce or something else, such as *Zihar* or *Iyla*'.

Among the scholars are those who hold the view that his words are taken into account, and that if he pronounced divorce in such circumstances, the divorce is counted and implemented. Others hold the view that no account is taken of it, and that the divorce is not counted or implemented. This last saying is the nearer to the truth, according to the words of the Prophet ﷺ:

«لَا طَلَّاقَ فِي إِغْلَاقٍ»

"There is no divorce in Ighlaq (coercion)."^[1]

So if this questioner said something to his wife that effects divorce when he was angry, then the divorce would not be counted, since he was not at that time in control of himself.

As for the saying of the questioner to her: "Consider yourself divorced today or tomorrow," meaning thereby a day in the future when he will submit the divorce case to the Court, then if divorce results after that, the divorce will have taken place. Because what is conditional upon something is dependent upon that condition, so if the condition is present, that which is conditional upon it will also be present.

However, if he did not intend to make a condition, but only that he would divorce on that day in the future, then he may abandon the divorce. If he does not divorce her, there is no sin

^[1] Talkhisul Hubayr 3/210.

upon him in that, and his wife will not be divorced thereby, because there is a difference between one who intends divorce and one who makes divorce conditional upon something. So whoever intended divorce, his wife will not be divorced unless he pronounces the words of divorce, or that which carries the same ruling. But if he made it conditional upon something, when that condition is fulfilled, divorce will take place, unless the divorce carries the ruling of an oath, then the divorce does not count and he is obliged to make atonement for the oath, which is to feed ten poor persons or clothe them, or to free a slave. If he does not have the means to do that, or he finds neither poor people nor a slave, he must fast for three consecutive days, according to the Words of Allah, Most High:

﴿لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَّدْتُمُ الْأَيْمَانَ فَكَفَّرتُهَا إِطْعَامَ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ رَقَبَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ ذَلِكَ كَفَرَةُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ﴾

“Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten Masākīn (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days. That is the expiation for the oaths when you have sworn.”^[1]

The requirement to fast on three consecutive days was only made incumbent due to the recitation of Ibn Mas‘ud who used to read:

«فَصِيَامُ ثَلَاثَةِ أَيَّامٍ مُتَّابَةٍ»

“then he should fast for three consecutive days.”

The divorce will have the ruling of an oath, if it was intended by the condition to encourage, prohibit, affirm or belie. However,

^[1] Al-Ma‘idah 5:89.

we advise our Muslim brothers to avoid swearing to divorce, based on the words of the Prophet ﷺ:

«مَنْ كَانَ حَالِفًا فَلْيَحْلِفْ بِاللَّهِ أَوْ لِيَصْمُتْ»

“Whoever swears, let him swear by Allah, or be silent.”^[1]

And, because many of the scholars — or most of them — do not hold the view that the ruling on conditional divorce is that of an oath no matter what the form. They say that whenever the condition upon which the divorce is dependant exists, then the divorce has occurred, whether his intent was to make the oath a condition or anything else. And it is Allah (Alone) Whose Help can be sought.

Ibn ‘Uthaimin

The Ruling on One Who Made Divorce Dependent on a Condition, Then He went Back on it Before it Transpired

Q What is the ruling of the Islamic Law on one who says to his wife: “If your menstrual period comes, then you become purified, then you are divorced.”? And he truly intended divorce, but after that, and before the period came, he decided to keep her; is this considered divorce or not? And would it be considered a divorce also, if he did not decide to keep her until after the purification upon which it was conditional?

A This divorce is dependent upon the fulfillment of a normal condition and neither encouragement nor prohibition was intended by it. So the divorce is counted due to the existence of the condition, which is purification following menstruation, so his going back upon this condition after it had taken place is not correct.

The Permanent Committee

^[1] Al-Bukhari 2679 and Muslim no. 1646.

Is Conditional Divorce Considered Swearing to Other Than Allah?

Q There are some legal verdicts concerning conditional divorce and the unfortunate practice of some people, such as of a man saying to another: "If you do not visit me or eat with me, my wife will be divorced." And some of the scholars say that such a divorce is not counted and it is considered an oath for which atonement must be made. Is it an oath, bearing in mind that it is not permissible to swear by other than Allah, indeed, it is considered to be an act of *Shirk*? And how does one atone for a sinful oath which was made to other than Allah?

A Those who say that divorce which is dependent upon a condition, if what is intended by it is prohibition, prevention or obligation, then it is an oath — say that it falls under the ruling of an oath, not that it is an oath. This is because the oath which is forbidden to make to other than Allah is an oath pronounced in the form of swearing, with the letter *Waw*, or *Ba* or *Ta*, such as: *Wallahi*, *Billahi* or *Tallahi* (all meaning, "By Allah...").

As for its prohibition, and making the divorce conditional upon an oath, this falls under the ruling of an oath, while it is not (actually) an oath in form. Allah, the Almighty, the All-Powerful says:

﴿يَا أَيُّهَا النَّبِيُّ لِمَ تُحَرِّمُ مَا أَحَلَّ اللَّهُ لَكَ تَبْتَغِي مَرْضَاتَ أَزْوَاجِكَ وَاللَّهُ غَفُورٌ رَحِيمٌ ۖ قَدْ فَرَضَ اللَّهُ لَكُمْ فِحْلَةً يَأْتَمِنُكُمْ﴾


"O Prophet! Why do you forbid (for yourself) that which Allāh has allowed to you, seeking to please your wives? And Allāh is Oft-Forgiving, Most Merciful. Allāh has already ordained for you (O men) the absolution from your oaths..^[1]

^[1] At-Tahrim 66:1-2.

So Allah has called prohibition of an oath; therefore, if it was said that this is an oath, it means that it falls under the ruling of an oath and not that it is the oath by which it was forbidden to swear except to Allah, the Almighty, the All-Powerful.

Ibn 'Uthaimin

This is a Divorce that Does Not Count

 I said to my wife: "If you give the boy (i.e. my son) money from my personal money, you will be divorced. And what I meant by that was to encourage her not to give any sum to the boy, because he would use it to bring women who play the *Duff* for his wedding and I refuse this, due to the financial situation in which I live; and I have helped him as much as I can in his marriage, but as for the things which are secondary to the essentials of marriage, or the luxuries of marriage, I cannot provide them. And it was not my intention thereby to divorce my wife. I request your advice.



If the intention was to prevent her from giving him anything of your money and it was not the intention to pronounce divorce if she did that, then you must make atonement for an oath if she gave him anything, according to the most authoritative of two views held by the scholars, and she must turn to Allah in repentance.

This is because it is not permissible for her to disobey your command in a matter such as this; rather, it is incumbent upon her to hear and to obey in all reasonable things. And we advise you not to repeat a divorce like this. May Allah set right both your situations.

Ibn Baz

Swearing to Divorce

One Should Not be Careless About Pronouncing Divorce

Q I said to my wife: "I must divorce you if you do not leave my house and go to your father's house and sleep there." — because of an argument with her. Then she actually left and went to her father's house, but the neighbors brought her back the same day and she did not sleep in her father's house that night, but in my house. Is there any (atonement for an) oath upon me? And what should I do so that I may avoid such an oath (in future)?

A Before replying to this question, I would like to request of my brother readers and from all of my Muslim brothers that they avoid statements such as these, and not to be careless in pronouncing divorce, because it is a great and serious matter. If they wish to swear, they should either swear by Allah, the Almighty, the All-Powerful, or be silent.

The scholars have differed regarding the ruling on swearing to divorce — whether it is to the wife or another — most of them holding the view that it is divorce and not an oath, and that when a person breaks his oath therein, his wife is counted as divorced.

Others hold the view that if an oath is intended by swearing to divorce, then it is an oath. If divorce is intended by it, then it is divorce, based upon the saying of the Prophet ﷺ:

«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ وَإِنَّمَا لِكُلِّ امْرِئٍ مَا نَوَىٰ»

"Deeds are according to intentions and every person shall have that which he intended."^[1]

The questioner said to his wife: "I must divorce you if you do

^[1] Al-Bukhari no. 1 and Muslim no. 1907.

not leave (my house) and go to your father's house and sleep there." If his intention was to force his wife, and to emphasize that she must leave, then divorce is not counted against him — whether she left or not. But if she did not leave, he must make atonement for an oath, which is to feed ten poor persons or clothe them, or to free a slave, or if he is unable to do either, then to fast for three consecutive days.

But if he intended divorce by it, if she left the house, she is divorced, and if she did not leave, or left then came back and did not sleep (in her father's house), she is divorced. And if this was his third divorce, then she is not permissible to him afterwards, until after she marries another husband.

Ibn 'Uthaimin

He Swore to Divorce, Intending Something Else

Q I swore to my younger brother to divorce if he left the house, but he left the house in spite of this; and when I swore to divorce, I did not intend divorce, but only to frighten (my brother). And I was extremely angry, but after my anger had cooled down, I forgave him. I request a verdict: Is the divorce counted or not? And may Allah preserve you and protect you.

A If the situation is as you have described it, and you did not intend to pronounce divorce if your brother left, and you only intended to prevent him and make him afraid, then you are obliged to atone for the oath, according to the most authoritative of two opinions held by the scholars, and your wife will not be divorced. And the atonement for an oath is to feed ten poor persons or clothe them, or to free a slave. If one is unable to do any of these, then he must fast for three days, based upon the Words of Allah, the Almighty, the All-Powerful in *Surah Al-Ma'idah*:

﴿لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّعْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَّدْتُمُ الْأَيْمَانَ فَكَفَّرتُمْهُ

إِطْعَامَ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ رَقَبَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ ذَلِكَ كَفَّارَةُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ وَاحْفَظُوا أَيْمَانَكُمْ ﴿١٠﴾

"Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten Masākīn (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days. That is the expiation for the oaths when you have sworn. And protect your oaths (i.e. do not swear much)."^[1]

And Allah is the Granter of success.

Ibn Baz

The Ruling on One Who Swears to Divorce in Order to Prevent Himself From Doing Something

Q I am a young man who has completed the *Qiran* marriage contract with a young woman, but the marriage has not taken place until now and I was committing some sins. In order to prevent myself from committing those sins, I swore an oath of divorce that I would not do those sins, in order to encourage myself to abandon them, and it was not my intention to divorce my wife. I repeated this oath to divorce a number of times, but it was in order to repel lust and decrease desire, but I fell into the sin again in spite of myself. Finally, Allah helped me to turn (to Him) in repentance. So what is the ruling on this? And has divorce taken place? Advise us, and may Allah reward you with goodness.

^[1] Al-Ma'idah 5:89.



It is incumbent upon one who has done the type of divorce that you described — which is conditional upon doing something or abandoning something, in order to prevent himself from doing it — to make atonement for an oath for each time he did it or abandoned it. Such as when one says that he must divorce his wife if he smokes, or he must divorce if he speaks to so-and-so, and he intends by that to prevent himself from doing it, not to divorce.

It is ordained for the Muslim not to use such types (of divorce), because many of the scholars hold the view that such divorce is counted, even if he did not really intend that. The Prophet ﷺ said:

«إِنَّ الْحَلَالَ بَيِّنٌ وَإِنَّ الْحَرَامَ بَيِّنٌ وَبَيْنَهُمَا مُشْتَبِهَاتٌ لَا يَعْلَمُهُنَّ كَثِيرٌ مِنَ النَّاسِ فَمَنْ اتَّقَى الشُّبُهَاتِ اسْتَبْرَأَ لِدِينِهِ وَعَرْضِهِ»

“The lawful is clear and the forbidden is clear. Between them there are unclear matters which many of the people do not know. So whoever avoided the unclear matters has kept his religion and his honor blameless.”^[1]

And Allah is the Granter of success.

Ibn Baz

It is Incumbent Upon a Woman to Obey Her Husband



Approximately eight years ago, in order to resolve differences which had arisen as a result of my wife meeting with my brother's wife, I swore to her that if she went to my brother's house, she would be divorced. My aim in doing this was to restrain her and make her afraid, and it was never my aim to sever (marital) ties. My wife continued not to go to my brother's house until something happened

^[1] Al-Bukhari no. 52 and Muslim 1599.

which compelled her to do so, which was the death of my father. This occurred while I was out of the country. The place to which the women came to express their condolences was my brother's house, so my wife found no alternative to going there, regardless of any other matter. So when I returned to the country, she informed me of that and asked me to seek a legal verdict from the scholars in this matter. Thus, I put my question to Your Eminence, hoping that you will make clear the following:

1. Is she guilty of any sin by her going in this situation?
2. What is incumbent upon me, since I have sworn to divorce her?
3. What is incumbent upon her?

And finally you have my esteem and honor.



If the situation is as you have described it in the question, then she is not divorced, if your intention in mentioning divorce was to prevent her from going out to the house of your brother and not to pronounce divorce if she went out, according to the most correct of two opinions held by the scholars. But you must make atonement for an oath due to this. However, if you intended that she should be divorced if she went out to the house of your brother, then it counts as one divorce for her, and you may return her as long as she is still in her waiting period, and as long as you have not previously divorced her twice. But if she has completed the waiting period, she is not permissible for you without a new marriage with all its incumbent conditions — that is, if you have not divorced her twice before, as we said previously. As for your wife, she should turn in repentance to Allah for that, because she went to your brother's house without your permission.

We advise you against being hasty in pronouncing divorce, whether conditional or total, until you have confirmed matters and the legal advantage in pronouncing it has become clear. May Allah improve the situation of both of you.

Ibn Baz

Swearing to Divorce is Not Counted if it Was Done With the Intention of Emphasizing Something

Q What is the opinion of Your Eminence regarding a man who swore an oath of divorce three times to a Muslim brother in order that he perform a certain task, but that task was not performed. Is the oath effective upon his wife? And what is the ruling of Islam if that oath was not fulfilled?

A If a person swears divorce three times that a person must do such-and-such, saying for example: "I must divorce (my wife) three times if so-and-so speaks," or: "I must divorce (my wife) three times if you do not carry out such-and-such a banquet," or: "I must divorce (my wife) three times if you do not marry so-and-so."

Here his intention must be examined: If his intention was emphasis and not to pronounce divorce, then the ruling will be that of an oath, for which he must make an atonement, which is to feed ten poor persons or clothe them, or to free a believing slave. If he is not able to do that, then he must fast for three days.


However, if his intention was to pronounce divorce, then it counts as one divorce, according to the correct view, and he may take back his wife as long as he has not divorced her twice before.

Ibn Baz

Annulment of Marriage


Q I am from a non-Muslim country and I have a sister whose husband abandoned her a long time ago, but he did not divorce her due to fear of the proceedings which include paying financial compensation to the Government. Also, we do not wish to raise the matter to the court, because it is not Islamic and it does not protect a woman's dignity. So

if it is not possible to divorce, is it permissible for us to annul the woman's marriage and give her in marriage to another man?

 First of all, it is forbidden for a man to leave a woman hanging — neither married, nor divorced, so it is incumbent upon him to divorce, if the wife's family are determined that the matter should not be submitted to the Court and there is no harm for him in that. Even if they submitted the matter to the Court and they obliged him to pay something, his marriage contract with this woman means that it is a duty on him to observe all of the obligations incumbent upon a husband, even if he is subject to injustice thereby. If he fulfills his obligations and fears Allah regarding this woman and divorces her of his own free will, then that is all that is required of him. But if he does not, she has the right to seek a divorce due to his abandonment, because she has been wronged.

Ibn 'Uthaimin

This is Annulment, Not Divorce

 I am a woman who was married and gave birth to two children during a period of three years. Later, misunderstandings occurred between us and he (my husband) left me and a separation took place between us, but without divorce, and I remained for a period of six years without him divorcing me. I took out a case against him in the Court, but he did not attend, his father attended and an order of separation was issued between us. My question is:

1. Is this considered a legal divorce and does the waiting period begin therein from the date the ruling was issued, or what?
2. Is he obliged to provide financial support for the period of separation between us?


 What was issued by the Court is not considered to be a divorce, it is only an annulment, unless the word divorce


was spoken by the Judge, then it is divorce. The waiting period starts from the date the order was issued, not from when he became aware of it, i.e. not when he became aware of this separation. As for financial support, that falls under the jurisdiction of the Court; if you wish to seek it, then the Court must decide between you, and the husband is not guilty of sin due to his abandonment during this period, if the wife was the cause of it.

Ibn 'Uthaimin

Ar-Raj'ah (Taking Back a Divorced Wife)

The Ruling on Ar-Raj'ah and its Conditions

 A man divorced his wife according to the Sunnah, then sent the divorce paper, but he wishes to take her back. Is it obligatory for the woman to come back, without her acceptance, or is it dependant upon her acceptance? And are there conditions attached to taking her back? Please issue for me a verdict.

 If the matter is as stated regarding the above-mentioned person's divorce of his wife, in accordance with the Sunnah, then he may take her back, as long as she is still in her waiting period, with the testimony of two just witnesses. This is the case whether she accepts it or not, as long as this divorce was not the last of three divorces, or at the time of (his terminal) illness.

If she has completed her waiting period, or it was at the time of (his terminal) illness and it was not the last of three divorces, then he may return to her with a new marriage contract and a new dowry, if she accepts it. In both cases, what has occurred is considered to be one divorce.

If the divorce is the third one, she is not permissible for him, until after she has married another man through a legal marriage and he has had sexual intercourse with her, then if the second

husband divorces her or he dies, she becomes permissible for the man who divorced her (first) after her waiting period has ended, with a new marriage contract and a new dowry, if she accepts. And the waiting period of a pregnant woman is (until) her delivery — whether she was divorced or widowed, while the waiting period of a widowed woman who is not pregnant is four months and ten days. But if she is divorced, then her waiting period is three menstrual periods if she is still menstruating, and three months if she is post-menopausal, or too young to menstruate. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Manner of *Ar-Raj'ah*

Q The following question was received by the General Presidency for the Administrations of Scientific Researches and Religious Verdicts: A man divorced his wife with one divorce before the Judge in the High Court in Riyadh, and then he took her back with the testimony of two witnesses; is his *Raj'ah* correct?

A The reply is as follows: If the *Raj'ah* which you have mentioned occurred while she was still in her waiting period, and you had not previously divorced her, or it was not followed by two more divorces pronounced upon her by you, then she is still under your authority. But if she had completed her waiting period before the date on which you took her back, or this divorce of yours was preceded or followed by two others, then she is no longer under your authority, and she is not permissible to you until after she has married another man. And Allah is the Granter of success. And may peace and blessings be upon Muhammad and upon his family and Companions.

The Permanent Committee

It is a Part of the Sunnah to Call Witnesses to the Reunion

Q I became extremely angry with my wife due to a minor thing which she had done. After my anger left, my wife said that I had divorced her once during my anger. So I sat down and recollected, had I pronounced this divorce? Then I remembered it, but I am not completely sure about it and I did not have the intention to divorce my wife, but the words slipped from my mouth when I was in the grip of anger without my intending it; and since I am sure that my wife would not lie in what she said, I took her back at once, but I did not call witnesses to the fact that I had taken her back; in fact, I said to her: "I have taken you back and intimate relations have been restored between us, as they were before."

Now a period of time has passed since the occurrence of what I mentioned, but I remain with doubts and skepticism. So I request Your Eminence to deliver a legal verdict, has divorce occurred in the circumstances I described? And if divorce has taken place, then what is the ruling on my taking her back in this way, and what is incumbent upon me, bearing in mind that it was a revocable divorce, but the duration of the waiting period was over?



Your taking back your wife is correct since it occurred during the waiting period and the Sunnah is and that two witnesses testify to it, according to the Words of Allah, Most Glorified:

﴿فَإِذَا بَلَغَ أَجَلُهُنَّ فَامْسِكُوهُنَّ بِمَعْرُوفٍ أَوْ فَارِقُوهُنَّ بِمَعْرُوفٍ وَأَشْهِدُوا ذَوَى عَدْلٍ مِّنكُمْ وَأَقِيمُوا الشَّهَادَةَ لِلَّهِ﴾

"Then when they are about to attain their term appointed, either take them back in a good manner or part with them in a good

manner. And take as witness two just persons from among you (Muslims). And establish the testimony for Allāh.”^[1]

The scholars have cited this noble Verse as evidence that it is prescribed to call witnesses for divorce and *Ar-Raj'ah*. But it is more prudent for you to count this divorce and to consider that it has taken place. That is, according to what you said in the question regarding what you remembered, and your trust in your wife's words, in accordance with the words of the Prophet ﷺ

«فَمَنْ اتَّقَى الشُّبُهَاتِ اسْتَبْرَأَ لِدِينِهِ وَعِزِّهِ»

“Whoever avoided the unclear matters has kept his religion and his honor blameless.”^[2]

And his ﷺ saying:

«دَعْ مَا يَرِيئُكَ إِلَى مَا لَا يَرِيئُكَ»

“Leave what makes you doubt for what does not make you doubt.”^[3]

Ibn Baz

He Divorced Her, Then Returned Her Without Witnesses

Q I divorced my wife one time. She did not leave the house, and we lived together and this was without reference to any of the scholars of the religion or to the Court. There were also no witnesses to our *Raj'ah*. Is what we did correct?



Yes, if a man takes back his wife, either by having sexual intercourse with her or by saying: “I have taken you

[1] *At-Talaq* 65:2.

[2] *Al-Bukhari* no. 52 and *Muslim* no. 1599.

[3] *At-Tirmithi* no. 2518 and *An-Nasai* no. 5220.

back,” or: “I have kept you,” then the *Raj’ah* is valid. If he had sexual intercourse with her with the intention of taking her back, the aim would be achieved by that, as long as the divorce was only one or two. However, if it was the third and final divorce, she would be forbidden to him until she had married another.

Ibn Baz

Ar-Raj’ah Without Calling Witnesses is Correct

Q A man married a woman and after some time, he divorced her, then later, he took her back without witnesses to that *Raj’ah*, and his wife warned him against approaching her, fearful of committing a forbidden act. But he said that he had called Allah to witness it and Allah is Sufficient as a Witness. Is this permissible?

A When a man divorces his wife and then takes her back before the expiry of her waiting period, the *Raj’ah* is valid, and the wife returns to his authority.

As for calling witnesses to the *Raj’ah*, scholars are divided on that. Some of them hold the view that it is obligatory, while others said that it is a Sunnah. But it appears that it is not obligatory and that it is only a Sunnah; based upon this, the wife returns to her husband, if he takes her back during the waiting period, whether he calls witnesses or not. Although the most complete *Raj’ah* is to call witnesses.

As for the wife warning to her husband due to fear of doing something forbidden, I can reassure her that it is not forbidden, Allah Willing. As for the saying of the man that he called Allah to witness it, Allah is a Witness over all things, but the testimony which Allah has commanded is that we have just witnesses from among us.

Ibn ‘Uthaimin

The Gauge by Which the Validity of *Ar-Raj'ah* is Measured in the Waiting Period, Not the Time

Q I divorced my wife and after three months and twenty days, I took her back. After her return to me, she became pregnant and delivered a child. What atonement is incumbent upon me?

A There is no atonement for this action, but it must be ascertained whether she was taken back before the completion of her waiting period, in which case, it is valid. This is because three months and ten days or more might pass for a woman and she might still be in her waiting period. The waiting period of a woman is one in which she has three menstrual periods. Three menstrual periods might not come in three months, since there are some women who only menstruate every two months, so such a woman's waiting period would not be complete until six months had passed.

However, if she was taken back after the completion of her waiting period, that is, after she had menstruated three times, then taking her back is not valid. Because when a woman's waiting period is over, she becomes unrelated to her husband and she is not permissible for him, except with a new contract. So if this is the case, meaning, her waiting period ended before he took her back, then he must now make a new contract for her.

And the important thing is that if you took her back after three months and ten days, before she had menstruated three times. Then she is now your wife and taking her back was valid. But if you took her back after she completed her waiting period, then taking her back was not valid, the woman is not your wife, and you must make a new contract for her, with witnesses, a dowry and her guardian.

He Must Take Her Back With a New Contract

Q My father divorced his wife one time when he was angry due to a dispute between them. Two years have passed since the divorce; what is the ruling if he wishes to take her back?

A She returns to him with a new contract, if this divorce was the first and was not preceded by another divorce. In that case, he may propose to her again, make a new contract with her, and pay her a dowry upon which they are both agreed. This divorce is counted and he has two divorces left.

Ibn Jibreen

A Woman is Forbidden to Her Husband by the Third Divorce

Q A man divorced his wife one time, then he traveled outside the country she lived in and he remained absent for about a year. Then he returned and she had not married, so he made a new marriage contract with her and she returned to him, bearing in mind that he did not take her back during the waiting period.

A If the situation is as described by the questioner, then the marriage is valid, if it was done with a guardian, two just witnesses and the consent of the woman. This is because one divorce does not make the woman forbidden to her husband, nor do two divorces. She only becomes forbidden to him by the third divorce, until she has married another man according to the Islamic Law, and he has had sexual intercourse with her. This is based upon the saying of Allah, Most Glorified, Most High:

﴿الطَّلَاقُ مَرَّتَانٍ فَإِمْسَاكَ بِمَعْرُوفٍ أَوْ تَسْرِيحٌ بِإِحْسَنٍ﴾

"The divorce is twice, after that either you retain her on

reasonable terms or release her with kindness."^[1]

Up to His saying:

﴿فَإِنْ طَلَّقَهَا فَلَا تَحِلُّ لَهُ مِنْ بَعْدُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ﴾

"And if he has divorced her (the third time), then she is not lawful unto him thereafter until she has married another husband."^[2]

And what is meant by this last divorce is the third one, according to all of the scholars. And Allah is the Granter of success.

Ibn Baz

It is Not Permissible Until She Has Married Another

Q A man divorced his wife for the third time and four years passed. Now he wishes to take her back with a new contract and a new dowry, without anyone to make her permissible for him (i.e. another husband). Is this permissible?

A If a man has clearly divorced his wife three times, she is not permissible for him until she marries another man. There is no difference between a short period of time (since the divorce) and a long period. Thus, if they both agree to him taking her back one hour after the divorce or years after it, she is not permissible for him because it is an irrevocable divorce.

So another man must marry her of his own free will, not for the purpose of making her permissible for her first husband. Then if the second husband divorces her of his own free will, there is no sin upon them if they reunite with a new contract and a new dowry. However, if the divorce was revocable, such as the first or the second, then she is permissible for him without a marriage contract, as long as she is in her waiting period. But after the waiting period, she must agree, the contract must be renewed, and another dowry paid. And Allah knows best.

Ibn Jibreen

^[1] Al-Baqarah 2:229.

^[2] Al-Baqarah 2:230.

The Book of Az-Zihar

Declaring the Wife Forbidden Before the Contract Does not Affect the Marriage

Q A man proposed to a woman and he did not make the contract with her, then due to anger between him and her father, he said: "She is forbidden to me, like my mother and my sister." Then he and her father came to terms and he made the contract with her with a certain sum paid as a dowry by (mutual) consent and choice. Is there any obligation upon him regarding the prohibition which he imposed upon himself before the contract? And if there is any atonement, what is the nature of it?

A There is no effect of this declaration of prohibition on the marriage contract, since it occurred before it was made. Therefore there is no need for him to perform the atonement of *Zihar*, since it took place before this girl became his wife. He is only required to perform atonement for *Al-Yamin*^[1] according to the Words of Allah, Most High:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحْرِمُوا طَبِيبَ مَا أَحَلَّ اللَّهُ لَكُمْ وَلَا تَعْتَدُوا إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ ﴿٨٧﴾ وَكُلُوا مِنَّمَا رَزَقَكُمُ اللَّهُ حَلَالًا طَيِّبًا وَاتَّقُوا اللَّهَ الَّذِي أَنْتُمْ بِهِ مُؤْمِنُونَ ﴿٨٨﴾ لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَدْتُمُ الْأَيْمَانَ فَكَفَرْتُمْ بِهِ إِطْعَامَ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ رَبِيَّةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامَ ثَلَاثَةِ أَيَّامٍ ذَلِكَ كَفَّارَةُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ وَاحْفَظُوا أَيْمَانَكُمْ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ ءَايَاتِهِ لَعَلَّكُمْ تَشْكُرُونَ ﴿٨٩﴾﴾

^[1] *Al-Yamin*: Swearing an oath.

"O you who believe! Make not unlawful the Tayyibāt (all that is good as regards foods, things, deeds, beliefs, persons) which Allāh has made lawful to you, and transgress not. Verily, Allāh does not like the transgressors. And eat of the things which Allāh has provided for you, lawful and good, and fear Allāh in Whom you believe. Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten Masākīn (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days. That is the expiation for the oaths when you have sworn. And protect your oaths (i.e. do not swear much). Thus Allāh makes clear to you His Ayāt (proofs, evidences, verses, lessons, signs, revelations, etc.) that you may be grateful."^[1]

And:

﴿يَا أَيُّهَا النَّبِيُّ لِمَ تُحَرِّمُ مَا أَحَلَّ اللَّهُ لَكَ تَبْتَغِي مَرْضَاتَ أَزْوَاجِكَ وَاللَّهُ غَفُورٌ رَحِيمٌ قَدْ فُضَّ اللَّهُ لَكُمْ خِلَافَةً أَيْمَنَ بَكُمْ وَاللَّهُ مَوْلَاكُمْ وَهُوَ الْعَلِيمُ الْحَكِيمُ﴾

"O Prophet! Why do you forbid (for yourself) that which Allāh has allowed to you, seeking to please your wives? And Allāh is Oft-Forgiving, Most Merciful. Allāh has already ordained for you (O men) the absolution from your oaths. And Allāh is your Maulā (Lord, or Master, or Protector) and He is the All-Knower, the All-Wise."^[2]

So one who declared a prohibition such as this, must feed ten poor persons on a scale of the average for the food of his family, giving each of the ten persons one half of a Sa' of wheat, dates, rice or the like, or he should clothe ten poor persons, or free a slave. If he is unable to do any of these things, he must fast for three days.

And may peace and blessings be upon our Prophet, Muhammad

^[1] Al-Ma'idah 5:87-89.

^[2] At-Tahrim 66:1-2.

and upon his family and Companions.

The Permanent Committee

He Declared His Wife Forbidden to Himself, Like His Mother and His Sister

Q My husband uttered an oath of divorce at me, saying: "You are forbidden to me, like my mother and my sister." But we were fortunate to be reunited once more. I was pregnant in the seventh month, and my family decided that he must feed thirty poor persons before I delivered. I am now in the second month following delivery, but my husband's situation is difficult; though he has the intention to feed thirty poor persons, he has not done so until now. I am an observant Muslim woman and I fear Allah very much; and I am afraid to live with my husband in a forbidden state. Please advise me.

A These words which your husband pronounced do not constitute divorce, but *Zihar*, because he said: "You are forbidden to me, like my mother and my sister." *Az-Zihar*, as described by Allah, is hateful speech and untruth. Therefore it is incumbent upon your husband to turn in repentance to Allah for what he has done. It is not permissible for him to take pleasure in you (i.e. sexual intercourse) until he does what Allah has commanded him to do; and Allah, Most Glorified, Most High has said:

﴿وَالَّذِينَ يُظَاهِرُونَ مِنْ نِسَائِهِمْ ثُمَّ يَعُودُونَ لِمَا قَالُوا فَتَحْرِيرُ رَقَبَةٍ مِنْ قَبْلِ أَنْ يَتَمَاسَّا ذَلِكُمْ تُوعَظُونَ بِهِ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ ﴿٣﴾ فَمَنْ لَمْ يَجِدْ فَصِيَامُ شَهْرَيْنِ مُتَتَابِعَيْنِ مِنْ قَبْلِ أَنْ يَتَمَاسَّا فَمَنْ لَمْ يَسْتَطِعْ فَإِطْعَامُ سِتِّينَ مِسْكِينًا﴾

And those who make unlawful to them (their wives) by Zihar and wish to free themselves from what they uttered, (the penalty) in that case is the freeing of a slave before they touch each other. That is an admonition to you (so that you may not repeat such an ill

thing). And Allāh is All-Aware of what you do. And he who finds not (the money for freeing a slave) must fast two successive months before they both touch each other. And he who is unable to do so, should feed sixty Masākin (poor).^[1]


So it is not permissible for him to approach you and take pleasure in you, until he has done what Allah has commanded him to do. Nor is it permissible for you to allow him to do so, until he does what Allah has commanded him to do. As for the saying of your family, that he must feed thirty poor persons, it is wrong, because the Verse — as you have heard — proves that it is incumbent upon him to free a slave, and if he does not find one, then he must fast for two months consecutively, and if he is unable to do so, then he must feed sixty poor persons. And freeing a slave means manumitting a bonded slave, and freeing him from the yoke of servitude. Fasting for two consecutive months means fasting for two complete months, without breaking fast even for a day in between them, unless there is some lawful excuse, such as illness or travel; then when the excuse is removed, he continues according to what he has already fasted and completes it. As for feeding sixty poor persons, he may do it in two ways: Either he prepares food and invites those sixty poor persons to eat; or he distributes rice or whatever the staple food of the country is, among the people, giving each one of them a *Mudd* of wheat or the like, or half a *Sa'* of something else.

Ibn 'Uthaimin

The Ruling on *Zihar* For One Month Only


Q A man said to his wife: "You are as the back of my mother to me for a period of one month," then the month passed and he returned to his wife. Is he obliged to make the atonement for *Az-Zihar*, or not?


^[1] *Al-Mujadilah* 58:3-4.

 There is no atonement for such cases as this, if he did not have sexual intercourse with her during the aforementioned month, according to the most authoritative opinion of the scholars. This *Zihar* is known as *Zihar Mu'aqqat*. The scholars have explained that *Zihar* may be, *Munjaz*, *Mu'allaq* or *Mu'aqqat*. The first is like the saying: "You are like the back of my mother to me." The second is to say: "If the month of Ramadhan or Sha'ban begins, or so-and-so arrives, you are as the back of my mother to me." The third is to say: "You are as the back of my mother to me for the month of Ramadhan." Then if the month ends and he has not had sexual intercourse with her, there is no atonement incumbent upon him, since he did not go back on what he had said. These types (of *Zihar*) were explained by Abu Muhammad Muwaffaq Ad-Din 'Abdullah Ibn Qudamah — may Allah have mercy on him — in his book, *Al-Mughni* and he reported the sayings of the scholars on the subject, as did other scholars. And Allah knows best.

Ibn Baz

He Said to His Wife: "Consider Yourself Forbidden to Me For One Year."

 The Permanent Committee for Scientific Researches and Religious Verdicts studied the following question, the essence of which is that a dispute occurred between his wife and his daughter-in-law and he became angry and said to his wife: "Consider yourself forbidden to me for one whole year." — and his children cried and wept, so (he asks) what should he do? The Committee replied as follows:

 If the matter is as stated, then what this husband did is considered *Zihar*, even though his declaration that she was forbidden was of a temporary nature — for a year — it remains a form of evil speech and untruth. So he should seek Allah's Forgiveness and turn to Him in repentance for this sin he committed, for Allah, Most High says:

﴿الَّذِينَ يُظَاهِرُونَ مِنْكُمْ مَنْ نَسَاهُمْ مَا هُمْ عَنْ أُمَّهَاتِهِمْ إِنْ أُمَّهُتُهُمْ إِلَّا الْآلِيَّةُ
وَلَدْنَهُمْ وَإِنَّهُمْ لَيَقُولُونَ مُنْكَرًا مِنَ الْقَوْلِ وَزُورًا وَإِنَّ اللَّهَ لَعَفُوفٌ غَفُورٌ ﴿٢﴾﴾

Those among you who make their wives unlawful to them by Zihār (i.e., by saying to them: "You are like my mother's back,") they cannot be their mothers. None can be their mothers except those who gave them birth. And verily, they utter an ill word and a lie. And verily, Allāh is Oft-Pardoning, Oft-Forgiving.^[1]

Then, if he has not had sexual intercourse with her until the year ends, there is no atonement incumbent upon him. But if he has sexual intercourse with her during the course of the year, he must make atonement for Az-Zihar, which is to free a believing slave if he found one. If he did not find one, then he must fast for two consecutive months. If he is unable to do that, then he must feed thirty *sa'* to sixty poor persons, giving half a *Sa'* of the staple food of the country, such as dates, rice or the like, to each poor person. Allah, Most High says:

﴿وَالَّذِينَ يُظَاهِرُونَ مِنْ نِسَائِهِمْ ثُمَّ يَعُودُونَ لِمَا قَالُوا فَتَحَرِيرُ رَقَبَةٍ مِّن قَبْلِ أَن يَتَمَاسَّا
ذَٰلِكُمْ تَوْعَظُونَ بِهِ ۚ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ ﴿٣﴾ فَمَن لَّمْ يَجِدْ فَصِيَامَ شَهْرَيْنِ
مُتَتَابِعَيْنِ مِن قَبْلِ أَن يَتَمَاسَّا ۖ فَمَن لَّمْ يَسْتَطِعْ فِإِطْعَامُ سِتِّينَ مِسْكِينًا ۚ ذَٰلِكَ لِمُؤْمِنًا
بِاللَّهِ وَرَسُولِهِ ۚ وَتِلْكَ حُدُودُ اللَّهِ ۚ﴾

And those who make unlawful to them (their wives) by Zihār and wish to free themselves from what they uttered, (the penalty) in that case is the freeing of a slave before they touch each other. That is an admonition to you (so that you may not repeat such an ill thing). And Allāh is All-Aware of what you do. And he who finds not (the money for freeing a slave) must fast two successive months before they both touch each other. And he who is unable to do so, should feed sixty Masākin (poor). That is in order that you may have perfect faith in Allāh and His Messenger. These are the limits set by Allāh..^[2]

[1] Al-Mujadilah 58:2.

[2] Al-Mujadilah 58:3-4.

And may peace and blessings be upon our Prophet, Muhammad and upon his family.

The Permanent Committee

Questions Regarding the Atonement

- Q** 1. Is it permissible to pay the atonement in full to one poor person if sixty poor persons cannot be found?
2. Is it permissible to give this poor person the whole atonement in one day, or should he be given the atonement each day for sixty days?
 3. What is the amount of the atonement which must be given to one poor person, whether it be money or food?
 4. Is it permissible to borrow the cost of the atonement and give it to the poor or not?

A 1. The atonement for *Az-Zihar* or for having sex during the day in the month of Ramadhan is according to sequence, not according to choice. So a slave must be freed, and whoever does not find one, proceeds to fasting, and whoever is unable to do that proceeds to feeding the poor.

2. Sixty poor persons must be fed if the number is present. If he (the person making the atonement) does not find them, it is permissible for him to give it to those whom he finds, by feeding thirty persons for two days, or one poor person for sixty days. If it is difficult for him to do so, he may give him all of the food at one time and that will be sufficient.
3. He may give them lunch or dinner once, or give them food sufficient for them for one night, of the food which is usual for him and his family. It has been estimated as half a *Sa'* for each poor person, along with whatever else is suitable for him (such as salad, soup, drinks etc.).
4. There is no objection to borrowing, if he is poor or he finds someone to lend to him, and he is sure that he will find the

repayment of that loan, then he may borrow. If he is unable to pay it and he finds no one to lend him, then the obligation is lifted from him.

Ibn Jibreen

It is Not Permissible to Touch One's Wife Before Making the Atonement

Q An argument took place between my wife and I while I was in Egypt, and before I traveled to the Kingdom (of Saudi Arabia) I swore an oath of *Zihar* to her. Then I came to know lately, after arriving in the Kingdom, from listening to the program *Nur 'Ala Ad-Darb*, that the atonement for this is to fast sixty days consecutively, but because the month of Ramadhan was neare and after Ramadhan, I traveled to Egypt to spend a month and a half with my wife, as she does not live with me in the Kingdom, which made it impractical for me to fast the two months while I was with her in Egypt. So is it permissible for me to make love with her before I fast the two months, then after arriving in the Kingdom to fast, or what should I do?

A It is an obligation upon one who has uttered *Az-Zihar* to his wife or declared her forbidden, to free a believing slave before touching his wife. If he is unable to do so, then he must fast for two consecutive months. If he cannot do that, then he must feed sixty poor persons, giving each poor person half a *Sa'* of the staple food of that country, such as dates, rice or anything else. In weight, the amount of it is approximately one and a half kilograms. The evidence for this is in the Words of Allah, the Almighty, the All-Powerful:

﴿وَالَّذِينَ يُظَاهِرُونَ مِنْ نِسَائِهِمْ ثُمَّ يَعُودُونَ لِمَا قَالُوا فَتَحْرِيرُ رَقَبَةٍ مِنْ قَبْلِ أَنْ يَتَمَاسَّا ذَلِكُمْ تُوعِظُونَ بِهِ وَاللَّهُ يَمَّا تَعْمَلُونَ خَيْرٌ ﴿٤﴾ فَمَنْ لَمْ يَجِدْ فَصِيَامَ شَهْرَيْنِ مُتَتَابِعَيْنِ مِنْ قَبْلِ أَنْ يَتَمَاسَّا فَمَنْ لَمْ يَسْتَطِعْ فِإِطْعَامُ سِتِّينَ مِسْكِينًا﴾

And those who make unlawful to them (their wives) by Zihār and wish to free themselves from what they uttered, (the penalty) in that case is the freeing of a slave before they touch each other. That is an admonition to you (so that you may not repeat such an ill thing). And Allāh is All-Aware of what you do. And he who finds not (the money for freeing a slave) must fast two successive months before they both touch each other. And he who is unable to do so, should feed sixty Masākin (poor).^[1]

So it is not permissible for you to approach her until you have performed this atonement, according to the above-mentioned sequence. May Allah grant you success and make your affairs easy.

Ibn Baz

A Woman Declaring Her Husband to be Forbidden to Her is Not Az-Zihar

Q If a woman said to her husband: "If you do such-and-such, you will be forbidden to me, as my father is forbidden to me," or she cursed him, or he sought refuge with Allah from her, or the opposite, what is the ruling on this?

A A woman declaring her husband to be forbidden to her, or comparing him to one of her *Mahrams* (father, uncle, brother etc.) carries the ruling of an oath. It does not fall under *Az-Zihar*, because *Az-Zihar* is only from husbands to wives, according to the Words of Allah in the Noble Qur'ān.

It is incumbent upon a woman in such cases to perform the atonement for an oath, which is to feed ten poor persons, giving each poor person half a *Sa'* of the staple food of the country, which is equivalent to approximately one and a half kilograms. If she gives them lunch or dinner, or clothed them in garments

^[1] *Al-Mujadilah* 58:3-4.

fitting for prayer, it would be enough, according to the Words of Allah, Most High:

﴿لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَّدْتُمُ الْأَيْمَانَ فَكَفَّرتُمْ
إِطْعَامَ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ أَوْ كَسَوْتُمْهُم أَوْ تَحْرِيرُ
رَقَبَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ ذَلِكَ كَفَّرتُمْ أَيْمَانَكُمْ إِذَا حَلَفْتُمْ وَاحْفَظُوا
أَيْمَانَكُمْ﴾

"Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten Masākin (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days. That is the expiation for the oaths when you have sworn. And protect your oaths (i.e. do not swear much)."^[1]

A woman declaring forbidden that which Allah has made permissible for her carries the ruling of an oath. The same is the case for a man declaring forbidden that which Allah has made permissible for him — apart from his wife — it carries the ruling of an oath, according to the Words of Allah, Most Glorified:

﴿يَا أَيُّهَا النَّبِيُّ لِمَ تُحَرِّمُ مَا أَحَلَّ اللَّهُ لَكَ تَبْتَغِي مَرْضَاتَ أَزْوَاجِكَ وَاللَّهُ غَفُورٌ رَحِيمٌ
قَدْ فَرَضَ اللَّهُ لَكُمْ تَحِلَّةَ أَيْمَانِكُمْ وَاللَّهُ مَوْلَاكُمْ وَهُوَ الْعَلِيمُ الْحَكِيمُ﴾

"O Prophet! Why do you forbid (for yourself) that which Allāh has allowed to you, seeking to please your wives? And Allāh is Oft-Forgiving, Most Merciful. Allāh has already ordained for you (O men) the absolution from your oaths. And Allāh is your Maulā (Lord, or Master, or Protector) and He is the All-Knower, the All-Wise."^[2]

When a man declares his wife to be forbidden to him, it carries

^[1] Al-Ma'idah 5:89.

^[2] At-Tahrim 66:1-2.

the ruling of *Az-Zihar* — according to the most correct view of the scholars — if the declaration of the prohibition was “*Munjaz*,” or, “*Mu‘allaq*,” dependent upon some condition, and he did not intend by it to encourage or prohibit, or to affirm belief or to belie. For example, if he said: “You are to me as the back of my mother,” and the like, according to the most authoritative view of the scholars, as mentioned previously. This is forbidden and it is a form of hateful speech and untruth; and the one who says something like this must turn to Allah, Most Glorified in repentance.

The atonement for *Az-Zihar* must be made before he touches his wife, according to the Words of Allah, the Almighty, the All-Powerful in *Surat Al-Mujadilah*:

﴿الَّذِينَ يُظَاهِرُونَ مِنْكُمْ مِنْ نِسَائِهِمْ مَا هُنَّ أُمَّهَاتُهُمْ إِنْ أُمَّهُتُهُمْ إِلَّا الَّتِي وَلَدْنَهُمْ وَإِنَّهُمْ لَيَقُولُونَ مُنْكَرًا مِنَ الْقَوْلِ وَزُورًا وَإِنَّ اللَّهَ لَعَفُورٌ غَفُورٌ ﴿٢﴾﴾

“Those among you who make their wives unlawful to them by Zihār (i.e., by saying to them: “You are like my mother’s back,”) they cannot be their mothers. None can be their mothers except those who gave them birth. And verily, they utter an ill word and a lie. And verily, Allāh is Oft-Pardoning, Oft-Forgiving.”^[1]

Then Allah, Most Glorified says:

﴿وَالَّذِينَ يُظَاهِرُونَ مِنْ نِسَائِهِمْ ثُمَّ يَعُودُونَ لِمَا قَالُوا فَتَحْرِيرُ رَقَبَةٍ مِنْ قَبْلِ أَنْ يَتَمَاسَا ذَٰلِكُمْ تُوعِظُوهُ بِهِ وَاللَّهُ يَمَّا تَعْمَلُونَ خَبِيرٌ ﴿٣﴾ فَمَنْ لَمْ يَجِدْ فَصِيَامُ شَهْرَيْنِ مُتَتَابِعَيْنِ مِنْ قَبْلِ أَنْ يَتَمَاسَا فَمَنْ لَمْ يَسْتَطِعْ فَاِطْعَامُ سِتِّينَ مِسْكِينًا﴾

“And those who make unlawful to them (their wives) by Zihār and wish to free themselves from what they uttered, (the penalty) in that case is the freeing of a slave before they touch each other. That is an admonition to you (so that you may not repeat such an ill thing). And Allāh is All-Aware of what you do. And he who finds not (the money for freeing a slave) must fast two successive

^[1] *Al-Mujadilah* 58:2.

months before they both touch each other. And he who is unable to do so, should feed sixty Masākin (poor).”^[1]

The food, one is required to give is half a Sa‘ of the staple food of the country to each one, if it is not possible to free a slave or fast.

As for a woman cursing her husband, or seeking refuge with Allah from him, that is forbidden for her, and she must turn in repentance to Allah and ask forgiveness from her husband. Her husband is not forbidden to her by such statements, nor is there any atonement incumbent upon her for saying it.

Likewise, if he curses her, or seeks refuge with Allah from her, she is not forbidden to him, and he must turn in repentance to Allah for such speech, and ask his wife’s forgiveness for cursing her. This is because a Muslim cursing a Muslim man or woman — whether it be his wife or another — is not permissible; indeed, it is one of the major sins, and likewise, a woman cursing her husband or any other Muslim is not permissible. This is based on the saying of the Prophet ﷺ:

«إِنَّ اللَّعَّائِينَ لَا يَكُونُونَ شُهَدَاءَ وَلَا شُفَعَاءَ يَوْمَ الْقِيَامَةِ»

“Verily, those who curse will neither be martyrs, nor will they receive intercession on the Day of Resurrection”^[2]

And his ﷺ saying:

«سَبَابُ الْمُسْلِمِ فُسُوقٌ وَقِتَالُهُ كُفْرٌ»

“Verbally abusing a Muslim is disobedience, and fighting him is an act of disbelief.”^[3]

We ask Allah for His Protection and safety from all that invokes His Anger.

Ibn Baz

^[1] Al-Mujadilah 58:3-4.

^[2] Muslim no. 2598.

^[3] Al-Bukhari no. 48 and Muslim no. 64.

Swearing to *Az-Zihar*

Q I have a friend who works in the Kingdom and he had a bad habit, and however much he tried to stop it, he could not, he would only return to his habit again. Then one day, he swore to himself that his wife would be forbidden to him like his mother and his sister (and his wife did not know, because she was in her country). Then he returned to his habit once more. Is his wife considered to be divorced and forbidden to him, or is his oath not counted because his wife did not know, and she is blameless in the matter. Bearing in mind that he had sexual intercourse with his wife when he returned to his country. What should he do, may Allah benefit you?

A The answer to this question is from two angles: The first is that I have understood from the question that this habit which he used to indulge in is one which is forbidden. It must have been something unbefitting for the believer to indulge in. It is incumbent upon a man faced with these forbidden matters to use the religion as a barrier before using an oath as a barrier from oaths. He should use the religion as a barrier, by fearing Allah, the Almighty, the All-Powerful thereby preventing him from doing these forbidden things. When a person makes his intention purely and sincerely for Allah, and he is determined, and seeks help from Allah, Most Glorified, Most High, He will make the matter easy for him.

The second point is regarding what has now resulted from this. We say, since by declaring your wife forbidden and saying that she was like your mother, you only intended to swear an oath, to emphasize your intention to abstain from this sin, then, by a condition such as this, your wife is not forbidden to you and this is not divorce, nor is it *Az-Zihar*.

Therefore, it is only incumbent upon you to perform the atonement for an oath, because this is an oath in the full sense

of the word. Allah, Most High has said:

﴿وَلَكِنْ يُولِئُكُمْ بِمَا عَقَّدْتُمُ الْأَيْمَانَ﴾

“but He will punish you for your deliberate oaths,”^[1]

So He has made it dependant upon a deliberate intention. And the Prophet ﷺ said:

«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ وَإِنَّمَا لِكُلِّ امْرِئٍ مَا نَوَى»

“Deeds are according to intentions, and every person shall have what he intended.”^[2]

So Allah, Most High has declared the oath to be a prohibition.

The important thing is that as long as your intention was to abstain, or it was uttered to emphasize the abstention from that thing, if you did it, your wife is not forbidden to you. It is rather only incumbent upon you to perform the atonement for an oath. And the atonement for an oath is to feed ten poor persons or clothe them, or, to free a slave, and if it is not found, then to fast three days.

Ibn ‘Uthaimin

He Said to Her: “If You Go to Such-and-such a Place, You Will be Like the Back of my Mother to Me,” And She Went

Q I warned my wife against going to a certain place, but she insisted upon going and I became intensely angry and said to her: “If you go to this place, you will be as the back of my mother and my sister to me.” Then I went on a journey and when I returned, I found that she has disobeyed me and gone. So what is the ruling on this? Should I atone for my oath, or does it mean that I have divorced my wife? And

^[1] Al-Ma'idah 5:89.

^[2] Al-Bukhari no. 1 and Muslim no. 1907.

is there any set limit for making atonement?



I would like to advise the questioner and all of the Muslims not to undertake such foolish actions as this, for it is something which should not be done. *Az-Zihar* has been described by Allah, Most High as detestable and a lie.

The reply to this question is: If the man meant by his words: "You will be as the back of my mother to me," to make her forbidden by these words, then there is no doubt that he has committed *Zihar* and it is not permissible for him to approach her until he has done what Allah commanded him to do in His Words:

﴿وَالَّذِينَ يُظَاهِرُونَ مِنْ نِسَائِهِمْ ثُمَّ يَعُودُونَ لِمَا قَالُوا فَتَحْرِيرُ رَقَبَةٍ مِنْ قَبْلِ أَنْ يَتَمَاسَّا ذَلِكُمْ تُوعَظُونَ بِهِ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ ﴿٣﴾ فَمَنْ لَمْ يَجِدْ فَصِيَامُ شَهْرَيْنِ مُتَتَابِعَيْنِ مِنْ قَبْلِ أَنْ يَتَمَاسَّا فَمَنْ لَمْ يَسْتَطِعْ فَأَطْعَامُ سِتِّينَ مِسْكِينًا ذَلِكَ لِتُؤْمِنُوا بِاللَّهِ وَرَسُولِهِ﴾

"And those who make unlawful to them (their wives) by Zihār and wish to free themselves from what they uttered, (the penalty) in that case is the freeing of a slave before they touch each other. That is an admonition to you (so that you may not repeat such an ill thing). And Allāh is All-Aware of what you do. And he who finds not (the money for freeing a slave) must fast two successive months before they both touch each other. And he who is unable to do so, should feed sixty Masākin (poor). That is in order that you may have perfect faith in Allāh and His Messenger."^[1]

So it is incumbent upon him before having sexual intercourse with his wife to perform this atonement which Allah, the Almighty, the All-Powerful has mentioned.

However, if he intended prevention by it, i.e. preventing the wife from doing the thing which he forbade her to do, and he did not intend by it to declare her forbidden to him, then this is an

^[1] *Al-Mujadilah* 58:3-4.

oath. Its ruling is that of an oath for which the same atonement must be made, and it is resolved by the atonement. If a person makes a statement of *Zihar* to his wife, she may demand her personal rights, and if he insisted upon preventing her (from her rights), then they may resort to the Judge.

Ibn 'Uthaimin

The Book of Al-'Iddah (The Waiting Period)

The Ruling on Al-'Iddah and the Categories of the Al-Mu'taddah (The Woman in Waiting)

The Woman Whose Husband Dies After Making the Contract, But Before Having Sexual Intercourse With Her

Q A person made a contract with a woman, then died before having sexual intercourse with her; must she observe the mourning period?

A A woman whose husband dies after making the contract, but before having sexual intercourse with her must observe a waiting period and mourning, because simply through the contract, she becomes his complete wife, according to the Words of Allah, Most High:

﴿وَالَّذِينَ يَتَوَفَّوْنَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا يَرْتَصِنَ بِأَنْفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا﴾

"And those of you who die and leave wives behind them, they (the wives) shall wait (as regards their marriage) for four months and ten days^[1]

And according to the narration of Al-Bukhari and Muslim — may Allah, Most High have mercy on them both — in which the Messenger of Allah ﷺ said:

«لَا تُحْدِ امْرَأَةٌ عَلَى مَيِّتٍ فَوْقَ ثَلَاثٍ إِلَّا عَلَى زَوْجٍ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا»

"A woman does not mourn for the dead for more than three days,

^[1] Al-Baqarah 2:234.

except for her husband, for whom she mourns for four months and ten days."^[1]

In the narration of Ahmad and the compilers of the *Sunan* the Messenger of Allah ﷺ ordered Buru' bint Washiq — a woman whose husband had made a contract with her and died before having sexual intercourse with her — that she must observe the waiting period and that she has a share of the inheritance.

The Permanent Committee

The Divorced Woman Whose Husband Has Had Sexual Intercourse With Her Must Observe the Waiting Period in All Cases

Q If a woman is irrevocably divorced, or she is divorced three times (at once), must she observe a waiting period? And should she stay in the house of the man who divorces her throughout the duration of the waiting period?

A If a woman is divorced, then she must observe a waiting period, whether the divorce is irrevocable or it is possible to take her back, according to the general meaning of the Words of Allah, Most High:

﴿وَالْمُطَلَّقَاتُ يَتَرَبَّصْنَ بِأَنفُسِهِنَّ ثَلَاثَةَ قُرُوءٍ﴾

"And divorced women shall wait (as regards their marriage) for three menstrual periods,"^[2]

Unless he divorced her before having sexual intercourse with her, and being secluded with her, then she does not have to observe a waiting period, according to the Words of Allah, Most High:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا نَكَحْتُمُ الْمُؤْمِنَاتِ ثُمَّ طَلَقْتُمُوهُنَّ مِنْ قَبْلِ أَنْ تَمْسُوهُنَّ
فَمَا لَكُمْ عَلَيْهِنَّ مِنْ عِدَةٍ تَعُدُّوهنَّ﴾

^[1] Muslim no. 66/938.

^[2] *Al-Baqarah* 2:228.

"O you who believe! When you marry believing women, and then divorce them before you have sexual intercourse with them, no 'Iddah [divorce prescribed period, see (V.65:4)] have you to count in respect of them."^[1]

As for her remaining in the house, if the divorce was revocable, then she remains in the house of her husband in the normal manner which she observes with her husband. She should make herself attractive and show her face and other parts to him, without having sexual intercourse, and the things which lead to it, because that must be only after she returns to him.

However, if the divorce is irrevocable, if there is anyone else apart from the husband and the wife in the house, then there is no objection to her remaining, but she must veil herself from her husband, because he has become unrelated to her. And if there is no one else in the house, then it is not permissible for her to remain there, because that is seclusion, and her husband is unrelated to her.

The Prophet ﷺ forbade a woman from staying alone with an unrelated man, except when there is a *Mahram* present. And her marriage to another man must wait until the end of her waiting period, and it is not permissible for her to marry anyone before the end of her waiting period, even if the divorce is irrevocable.

Ibn 'Uthaimin

An Old Woman Must Observe Mourning

Q A man died leaving an elderly wife, whose age was more than seventy years, and she is a woman of less insight and of little thought, and she did not serve him; and he died while she was under his care. Must she observe a mourning period as any other wife does? And what is the wisdom behind its legislation, if she is of advanced age like others? And why is the ruling of the pregnant woman only the

^[1] *Al-Ahzab* 33:49.

delivery of her child, if the legislation of the mourning period is in order to be sure whether or not the woman is pregnant and the elderly woman is past that?



The woman mentioned in the question must observe a waiting period and mourn for four months and ten days because she is included in the generality of the Words of Allah, Most High:

﴿وَالَّذِينَ يُتَوَفَّوْنَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا﴾

"And those of you who die and leave wives behind them, they (the wives) shall wait (as regards their marriage) for four months and ten days,"^[1]

Part of the wisdom behind the legislation of the waiting period and the mourning period if the woman is of advanced age and past the age of fertility, is to emphasize the importance of this marriage contract, to raise its value, to make its conditions evident, to implement the rights of the husband, to make the effect of its loss clear by preventing adornment and beautification (of the wife during the waiting period).

This is why the mourning period for him was legislated more than the mourning period for the father and the son. And the ruling of the pregnant woman is the delivery of the child only, based upon the generality of the Words of Allah, Most High:

﴿وَأُولَئِكَ الْأَحْمَالُ أَجَلُهُنَّ أَنْ يَضَعْنَ حَمْلَهُنَّ﴾

"And for those who are pregnant (whether they are divorced or their husbands are dead), their 'Iddah (prescribed period) is until they lay down their burden;"^[2]

And this Verse specifies the generality of the Words of Allah:

﴿وَالَّذِينَ يُتَوَفَّوْنَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا﴾

^[1] Al-Baqarah 2:234.

^[2] At-Talaq 65:4.

“And those of you who die and leave wives behind them, they (the wives) shall wait (as regards their marriage) for four months and ten days,”^[1]

Another part of the wisdom in the end of the waiting period being conditional upon the delivery of the child, is because the child is the right of the first husband. So if she marries someone else after parting — due to death or some other cause — and she is pregnant, the second husband will have irrigated another's crop with his water, and this is not permissible. This is based on the generality of the words of the Prophet ﷺ:

«لَا يَحِلُّ لِأَمْرِيءٍ مُّسْلِمٍ يُؤْمِنُ بِاللّٰهِ وَالْيَوْمِ الْآخِرِ أَنْ يَسْقِيَ مَاءَهُ زَرْعَ غَيْرِهِ»

“It is not permissible for a man who believes in Allah and the Last Day to irrigate the crop of another man with his water.”^[2]

Narrated by Imam Ahmad, Abu Dawud and Ibn Hibban, on the authority of Ruwaifi' bin Thabit Al-Ansari — may Allah be pleased with him.

It is incumbent upon the Muslim to act upon the rulings of the Islamic Law, whether he knows the wisdom behind it or not, and to have faith that Allah, Most Glorified is Most Wise in all that He Legislates and ordains. But if Allah made it easy for anyone to know the wisdom therein, then that is light upon light and goodness upon goodness. And Allah is the Granter of success.

The Permanent Committee

^[1] *Al-Baqarah* 2:234.

^[2] Abu Dawud no. 2158 and At-Tirmithi no. 1131.

The Elderly Woman and the Minor, Who Has Not Reached Puberty Must Observe the Waiting Period of Death

Q Is it incumbent upon the old woman who has no desire for men, or the young girl who has not reached puberty to observe the waiting period of death, if her husband dies?

A Yes, it is incumbent upon the old woman who has no desire for men to observe the waiting period of death. The same for the minor girl who has not yet reached puberty and is not approaching it. She must observe the waiting period of death, if her husband dies — until she delivers, if she is pregnant. Or, she must remain for four months and ten days, if she is not pregnant, according to the generality of the Words of Allah, Most High:

﴿وَالَّذِينَ يَتُوفُونَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا﴾

“And those of you who die and leave wives behind them, they (the wives) shall wait (as regards their marriage) for four months and ten days,”^[1]

And the generality of the Words of Him, Most High:

﴿وَأُولَئِكَ الْأَحْمَالُ أَجَلُهُنَّ أَنْ يَضَعْنَ حَمْلَهُنَّ﴾

“And for those who are pregnant (whether they are divorced or their husbands are dead), their ‘Iddah (prescribed period) is until they lay down their burden;”^[2]

The Permanent Committee

^[1] Al-Baqarah 2:234.

^[2] At-Talaq 65:4.

The Waiting Period of the Pregnant Woman if Her Husband Dies

Q A questioner says that his “aunt” (his father’s wife) is pregnant, so should she observe the waiting period of four months and ten days due to the death of his father, or should she observe the waiting until she delivers her child?

A The Committee examined the question and replied that she must observe the waiting period until she delivers her child. And Allah is the Granter of success. May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

Clarification of the Waiting Period of the Divorced Woman, and the Ruling on Her Leaving Her House, if Her Divorce is Revocable

Q A questioner is asking: I request an explanation of the waiting period of the divorced woman; and is the divorced woman whose divorce is revocable required to stay in the house of her husband, or go to the house of her father until her husband takes her back?

A It is incumbent upon the divorced woman, whose divorce is revocable, to remain in the house of her husband. And it is forbidden for her husband to remove her from it, according to the Words of Allah, Most High:

﴿لَا تَخْرِجُوهُنَّ مِنْ بُيُوتِهِنَّ وَلَا يَخْرُجْنَ إِلَّا أَنْ يَأْتِيَنَّ بِفَحِشَةٍ مُبَيَّنَةٍ وَتِلْكَ حُدُودُ اللَّهِ وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَقَدْ ظَلَمَ نَفْسَهُ﴾

“And turn them not out of their (husband’s) homes nor shall they (themselves) leave, except in case they are guilty of some open illegal sexual intercourse. And those are the set limits of Allāh.

And whosoever transgresses the set limits of Allāh, then indeed he has wronged himself.^[1]

The custom of the people now, regarding the woman whose divorce is revocable going straight to her family's house, is wrong and forbidden, because Allah, says:

﴿وَيَتْلِكَ حُدُودُ اللَّهِ وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَقَدْ ظَلَمَ نَفْسَهُ﴾

"And those are the set limits of Allāh. And whosoever transgresses the set limits of Allāh, then indeed he has wronged himself."^[2]

He did not exclude any cases from this, except when they are guilty of some open illegal sexual intercourse. Then after that He said:

﴿وَيَتْلِكَ حُدُودُ اللَّهِ وَمَنْ يَتَعَدَّ حُدُودَ اللَّهِ فَقَدْ ظَلَمَ نَفْسَهُ﴾

"And those are the set limits of Allāh. And whosoever transgresses the set limits of Allāh, then indeed he has wronged himself."^[3]

Then He explained the wisdom behind the obligation of her remaining in her husband's house in His Words:

﴿لَا تَدْرِي لَعَلَّ اللَّهَ يُحْدِثُ بَعْدَ ذَلِكَ أَمْرًا﴾

"You (the one who divorces his wife) know not it may be that Allāh will afterward bring some new thing to pass (i.e. to return her back to you if that was the first or second divorce)."^[4]

So it is an obligation upon the Muslims to observe the limits ordained by Allah and to hold fast to what He has commanded them. He may not follow customs as a path which contradict legislated matters.

The important thing is that it is incumbent upon us to be careful in this matter, and it is incumbent upon the woman whose

^[1] At-Talaq 65:1.

^[2] At-Talaq 65:1.

^[3] At-Talaq 65:1.

^[4] At-Talaq 65:1.

divorce is revocable to remain in the house of her husband until her waiting period is over.

In this situation — while she remains in her husband's house — she may unveil herself before him, adorn, beautify herself, wear perfume, speak to him, and he may speak to her, and she may sit with him, and do everything except take pleasure in sexual intercourse. This is because it can only take place after she has returned to him — and he may return her to him by speech, by saying: "I have taken back my wife." He may return her by action, by having sexual intercourse with her, with the intention of returning her to him.

As for the waiting period of the divorced woman, we say that if the woman was divorced before sexual intercourse and seclusion took place, and before seclusion and touching took place, then there is no waiting period incumbent upon her in any circumstance. Simply by his divorcing her, she is separated from him, and she is permissible for another man.

But if he has had intercourse with her, and was secluded with her, then she must observe the waiting period. Her waiting period falls into one of the following categories:

First. If she is pregnant, then it is until she delivers the baby, whether the length of time is protracted or shortened. He might divorce her in the morning and she might deliver her child before noon and her waiting period would be over. Or, he might divorce her in the month of Muharram and she might not deliver until the month of Thul-Hijjah, and so she will remain in the waiting period for twelve months. What is important is that the waiting period of the pregnant woman lasts until she delivers her child, in all circumstances, based upon the Words of Allah, Most High:

﴿وَأُولَئِذَا أَنتُم مِّنَ الْأَمْحَالِ أَجَلُهُنَّ أَنْ يَضَعْنَ حَمْلَهُنَّ﴾

"And for those who are pregnant (whether they are divorced or their husbands are dead), their 'Iddah (prescribed period) is until

they lay down their burden;”^[1]

Second. If she is not pregnant and she is still menstruating, then her waiting period is three complete menstrual periods following the divorce. This means that she has a period, then becomes purified, then has a period, then becomes purified, then has a period and then becomes purified. These are three complete menstrual periods — whether the time between them is protracted or not. Based upon this, if he divorces her while she is breast-feeding, and she does not have a menstrual period until after two years, then she remains in her waiting period until she has three menstrual periods. So based upon that, she would remain for two years or more. The important thing is that whoever is menstruating, her waiting period is three complete menstrual periods, whether the duration is long or short, based upon the Words of Allah, Most High:

﴿وَالْمُطَلَّقَاتُ يَرْصِدْنَ أَنْفُسَهُنَّ ثَلَاثَةَ قُرُوءٍ﴾

“And divorced women shall wait (as regards their marriage) for three menstrual periods,”^[2]

Third. One who does not menstruate — whether due to youth or due to advanced age causing her to stop menstruating — her waiting period is for three months, according to the Words of Allah, Most High:

﴿وَالَّذِي يَسْنَى مِنَ الْمَحِيضِ مِنْ نِسَائِكُمْ إِنْ أَرَبْتُمْ فَعِدَّتُهُنَّ ثَلَاثَةُ أَشْهُرٍ وَالَّتِي لَمْ يَحِضْ﴾

“And those of your women as have passed the age of monthly courses, for them the ‘Iddah (prescribed period), if you have doubt (about their periods), is three months; and for those who have no courses [(i.e. they are still immature).”^[3]

Fourth. If her periods have stopped for some reason, and it is

^[1] At-Talaq 65:4.

^[2] Al-Baqarah 2:228.

^[3] At-Talaq 65:4.

known that they will not return, such as when her womb is surgically removed, then she is like one who no longer menstruates and she waits for three months.

Fifth. One whose menstrual periods have stopped and she knows what has caused them to stop, then as we have said, she waits until the thing which stopped them has departed and her periods return, then she observes the waiting period according to it.

Sixth. If her periods stop and she does not know what has stopped them, then the scholars say that she should observe a waiting period for a whole year — nine months for pregnancy and three months for the waiting period.

These are the different types of divorced woman.

As for the one whose marriage is annulled by *Al-Khul'* or anything else, it is enough for her to wait for one menstrual period. Then if the husband frees her by *Al-Khul'* — meaning that her marriage is annulled by her or her guardian paying him a sum of money on the understanding that he will part from her, based upon this payment, it is enough for her to wait for one menstrual period. And Allah is the Granter of success.

Ibn 'Uthaimin

The Waiting Period of a Woman Whose Marriage is Annulled by *Al-Khul'* and the Waiting Period of the Divorced Woman if the Time is Extended

Q If a woman is divorced after a period of marital discord lasting for one or two years, or less, and menopause was completed before the divorce, is it necessary for her to observe the waiting period or not? Or is it permissible for her to marry without any waiting period being incumbent upon her when her husband has divorced her due to her paying him compensation, and he does not wish to take her back?



If a woman is divorced she is obliged to observe the waiting period after the divorce, even if the duration of it was extended, according to the Words of Allah, Most Glorified:

﴿وَالْمُطَلَّقَاتُ يَرْجِعْنَ بِأَنْفُسِهِنَّ ثَلَاثَةَ قُرُوءٍ﴾

"And divorced women shall wait (as regards their marriage) for three menstrual periods,"^[1]

And, because the Prophet ﷺ ordered the wife of Thabit bin Qais, may Allah be pleased with him, when she obtained a *Khul'* from him, to observe a waiting period of one menstrual period. And the correct view is that one menstrual period is sufficient for the woman who is divorced by *Al-Khul'* according to this noble *Hadith*, which is mainly for the aforementioned Noble Verse.

So if the woman who is divorced by *Al-Khul'* — which is by payment of money — observes a waiting period of three menstrual periods, it is more complete and more prudent, in order to avoid the difference of opinion of some of the scholars, who say that she should observe a waiting period of three menstrual periods, according to the generality of the aforementioned Verse.

Ibn Baz

The Ruling on Delaying the Waiting Period and the Mourning Period Without Any Lawful Excuse

Q I am a forty year old married woman with five children. My husband died on the 12th May 1985 C. E., but I did not observe the waiting period for him due to some work for my husband and my children. But after four months had passed, I observed the waiting period, that is, on the 12th of September 1985 C. E. After I had completed one month, an incident occurred which forced me to go out. So is this month

^[1] *Al-Baqarah* 2:228.

counted as part of the waiting period and is my observation of the waiting period on this date, i.e. four months after the death correct or not, bearing in mind that I go out within the precincts of the house in order to do some work, because I have no one to depend upon regarding the household tasks?



What you have done is forbidden, because it is incumbent upon the woman to begin the waiting period and the mourning period as soon as she becomes aware that her husband has died and it is not permissible for her to delay it, according to the Words of Allah, Most High:

﴿وَالَّذِينَ يُتَوَفَّوْنَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا﴾

"And those of you who die and leave wives behind them, they (the wives) shall wait (as regards their marriage) for four months and ten days,"^[1]

Your waiting until four months had passed before commencing your waiting period was a sin and an act of disobedience to Allah, the Almighty, the All-Powerful.

You only waited for ten days, you were not in the waiting period beyond that. So you must turn in repentance to Allah, the Almighty, the All-Powerful and perform lots of good deeds, so that haply, Allah may forgive you. And the waiting period observed after its time is not effective.

Ibn 'Uthaimin

The Rulings on Women Mourning

Wearing Black at the Time of Calamities is an Invalid Distinction



Is it permissible to wear a black garment for (mourning) the dead, in particular a deceased husband?

^[1] Al-Baqarah 2:234.



Wearing black at the time of calamities is a distinction that is invalid, with no basis to it. When a person is afflicted by some calamity, he should do what the Islamic Law ordains, by saying: "Truly, to Allah we belong and truly, to Him we shall return. O Allah! Deliver me from my calamity and replace it with something better for me."

Because if she says that with faith and belief, then Allah, Most Glorified, Most High will deliver her from it and replace them with something better. This happened to Umm Salamah, may Allah be pleased with her, when Abu Salamah, may Allah be pleased with him, her husband and cousin died. He was the most beloved of people to her, so she said this invocation. She said: "And I used to say to myself: 'Who is better than Abu Salamah?'" Then when her waiting period was over, the Prophet ﷺ proposed to her — and he was better for her than Abu Salamah, may Allah be pleased with him.

Likewise, everyone who says this invocation with faith and belief, Allah, Most High will deliver him from his calamity and give him one better than her.

As for wearing special clothes, such as black garments and the like, there is no basis to this and it is something invalid and reprehensible.

Ibn 'Uthaimin

The Ruling on Wearing Black and Rulings on the Woman in Her Waiting Period Whose Husband Has Died



Is it necessary for a woman in her waiting period whose husband has died to wear black? Or is it permissible to wear any color. We have heard that the woman who is in mourning, especially the common people, wear black, sit on something black, pray upon something black, and that they hold beliefs for which Allah has revealed no authority. We

request clarification for what is required of a woman whose husband has died, regarding clothing and other things.



A woman whose husband has died is required to mourn throughout her waiting period. The waiting period is determined by time and circumstances. So if a widowed woman was menstruating (i.e. pre-menopausal) and was not pregnant, then her waiting period would be for four months and ten days from the death of her husband — whether she knew of his death immediately or she did not know of it until later. So the beginning of the waiting period is from the time of death. Therefore, if it happened that he died and she did not know of his death until after two months had passed, then nothing would remain of her waiting and mourning period except two months and ten days. So the waiting period of the menstruating woman is determined or fixed by time, and that is four months and ten days after his death.

As for the pregnant woman, her waiting period lasts until she delivers the child, whether the period is long or short. The waiting period might be an hour or two, or less, and it might be a year or two years, according to the Words of Allah, regarding the former:

﴿وَالَّذِينَ يَتُوفُونَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا﴾

“And those of you who die and leave wives behind them, they (the wives) shall wait (as regards their marriage) for four months and ten days,”^[1]

And the Words of Him, Most High, regarding the latter:

﴿وَأُولَئِكَ الْأَحْمَالُ أَجَلُهُنَّ أَنْ يَضَعْنَ حَمْلَهُنَّ﴾

“And for those who are pregnant (whether they are divorced or their husbands are dead), their ‘Iddah (prescribed period) is until they lay down their burden,”^[2]

[1] Al-Baqarah 2:234.

[2] At-Talaq 65:4.

It has been authentically reported in the Two *Sahihs* that Subai'ah Al-Aslamiyyah, may Allah be pleased with her, delivered some nights after the death of her husband, and the Messenger ﷺ permitted her to marry. During the waiting period of death, it is necessary for the woman to mourn. Mourning consists of several things:

1. That she does not go out of the house, unless there is some pressing need.
2. That she does not beautify herself with clothing. She should not wear clothes which are considered decorative. But she may wear any clothing she wishes other than this: She may wear black, red, green or any other permissible color, without restricting herself to black.
3. That she should not adorn herself with any kind of jewelry, whether it be bracelets, necklaces, ankle-bracelets or anything else. She must remove her jewelry; and if she is unable to do so without cutting it off, then she must cut it off.
4. That she does not adorn herself with eye makeup or face makeup or lipstick, because it is not permissible for her to wear *Kuhl*, nor to redden her lips.
5. That she does not make herself attractive by wearing any kind of perfume, whether it be incense or oil, unless she has become purified from menstruation, then she may use perfume in the place where there is an offensive smell.

As for what some of the common people say, such as that she should not talk to anyone, that no one should see her, that she should not go out to the yard of the house, that she should not go out to the roof, that she should not face the moon, that she should not wash except on Friday, that she should not delay the prayer past the time of the *Athan* and that she should hasten to offer it as soon as the *Athan* is called — all of these things have no foundation in the Islamic Law.

So a mourning woman talking to men is the same as a woman

who is not mourning talking to men, and likewise her looking at men and men looking at her. It is the same as the case of a woman who is not mourning: She must cover her face so that it does not cause temptation and trial (*Fitnah*). And it is permissible for her to address a man, even if he is not a *Mahram* for her, if it does not cause *Fitnah*, and she may answer the telephone and the door of the house when there is a knock or other such things.

Ibn 'Uthaimin

The Ruling on a Widowed Woman in Her Waiting Period Moving From the House of Her Deceased Husband to the House of Her Family

Q A woman married a man, then he died. He had no children from her, and she had no relatives in his country, so is it permissible for her to move to her guardian's country to spend the mourning period with him or not?

A It is permissible for this wife to move to the house of her guardian — or to any other place where she feels safe — in order to spend the remainder of the mourning period for her husband there, if she fears for herself or she fears for the loss of her honor, and she has no one to protect her.

However, if she feels safe from being violated, and she only wishes to be near to her family, then it is not permissible for her to move. Instead, she must remain in her place until she has completed her mourning period, then travel with a *Mahram* to wherever she wishes. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

What the Mourning Wife is Obligated to Avoid

Q What are the rulings by which the mourning wife must abide when her husband dies?



What the mourning wife must avoid has been mentioned in the *Hadiths*. She is required to do five things:

1. She must remain in the house she was living in when her husband died until the end of the waiting period, i.e, four months and ten days, unless she is pregnant, in which case, her waiting period ends when she delivers the child. Allah, Most Glorified, Most High says:

﴿وَأُولَئِكَ الْأَحْمَالُ أَجَلُهُنَّ أَنْ يَضَعْنَ حَمْلَهُنَّ﴾

"And for those who are pregnant (whether they are divorced or their husbands are dead), their 'Iddah (prescribed period) is until they lay down their burden;"^[1]

She may not leave it except for some need or emergency, such as visiting the hospital when she is ill and purchasing what she needs from the market, such as food and the like, if she has no one to do it for her. Likewise, if the house is destroyed, she may leave it to go to another, or if she has no one who can take her in and she fears for her safety, then there is no objection to this, in case of need.

2. She may not wear beautiful clothes, neither yellow nor green, nor any other; instead, she must wear plain clothing, as the Prophet ﷺ ordered.
3. She must avoid wearing jewelry, such as gold, silver, diamonds, pearls and the like, whether it be necklaces, bracelets, rings or any such thing until her waiting period is over.
4. She must avoid using perfume, neither incense nor any other kind of scent, except when she has become purified from her menstrual period, then there is no objection to her using some incense.
5. She must avoid using *Kuhl*. She may not apply *Kuhl* to her eyes, nor any special cosmetic similar to *Kuhl* which would

^[1] At-Talaq 65:4.


be used to beautify the face — anything that may cause *Fitnah* to the people. As for normal beautification, such as by water and soap, there is no objection to that. But she may not use *Kuhl* which is used to beautify the eyes, and things similar to *Kuhl* which are used by some women on their faces.

These five things must be taken care of in case of someone whose husband dies.


As for what some ordinary people might think or invent, such as that she may not speak to anyone, or that she may not speak on the telephone, or that she may not wash herself during the week except once, or that she may not walk barefoot in her house, or that she may not go out in the moonlight and other such superstitions, there is no basis for them. In fact, she may walk in her house barefooted or wearing shoes, carry out her needs in the house, cook her food and the food of her guests, walk in the moonlight, on the roof and in the garden of the house, she may wash whenever she wishes, talk to whomever she wishes in a manner in which there is no suspicion, shake hands with women and also with her *Mahrams*. But as for those who are not her *Mahrams*, she may not shake hands with them. She may remove her veil from her head if there are no non-*Mahrams* men present, but she may not use henna or saffron or perfume — neither on clothing nor in coffee, because saffron is a type of perfume. It is not permissible for her to be proposed to, but there is no objection to hinting or alluding to that. As for open proposals, they may not be made. And Allah is the Granter of success.

Ibn Baz

The Ruling on the Use of Perfume by the Mourning Woman

 I am a woman whose husband has died recently and I am now in the mourning period; is it correct for me to wash with soap which has a pleasant perfumed odor, or

should I clean my children with it?

 Mourning means that a woman must avoid everything which calls to sexual intercourse or encourages (men) to look at her, such as perfume and wearing *Kuhl* and jewelry — whether she wears the jewelry around her neck or on her ears or hands. Likewise, all attractive clothes that are worn for beautification. She must remain in the house in which she was living when her husband died, according to the Words of Allah, Most High:

﴿وَالَّذِينَ يُتَوَفَّوْنَ مِنْكُمْ وَيَذَرُونَ أَزْوَاجًا يَرَوْنَ أَنَّ أَنْفُسَهُنَّ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا فَإِذَا بَلَغْنَ أَجَلَهُنَّ فَلَا جُنَاحَ عَلَيْكُمْ فِي مَا فَعَلْنَ فِي أَنْفُسِهِنَّ بِالْمَعْرُوفِ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ﴾


“And those of you who die and leave wives behind them, they (the wives) shall wait (as regards their marriage) for four months and ten days, then when they have fulfilled their term, there is no sin on you if they (the wives) dispose of themselves in a just and honourable manner (i.e. they can marry). And Allāh is Well-Acquainted with what you do.”^[1]

His saying: “then when they have fulfilled their terms” prove that they are forbidden before this time to do what they are allowed to do after it, and the Sunnah has made this clear.

Based upon this, it is not permissible for the mourning widow to use soap which has a perfumed odor. And since there is soap without perfume, there is no need for it.

Ibn ‘Uthaimin

The Ruling on a Mourning Woman Washing Her Head, and What She Must Avoid

 To His Eminence, the *Shaikh*: Are there limits regarding a mourning woman washing her head? And what is

^[1] Al-Baqarah 2:234.

incumbent upon her if she colors her hair using dye and uses perfumed creams?



There is no sin in a mourning woman washing her hair at anytime, whether it is by using *Sidr*^[1] or anything else which does not contain perfume. As for dying it or washing it with anything that contains perfume, that is not permissible, because the Messenger ﷺ forbade the mourning woman from using perfume, except a little incense when she washes herself after menstruation.

Ibn Baz

The Mourning Woman Should Not Use Perfume Nor be Proposed to, Except by Suggestion



Is it permissible for the woman mourning for her husband to wash her children and perfume them. And may marriage be proposed to her while she is in her waiting period?



It is not permissible for the woman who is mourning her husband's death to touch perfume during her waiting period, because the Prophet ﷺ forbade that. But there is no objection to her giving it to her children or her guests to wear, without joining them in it. And it is not permissible for her to be openly proposed to until she completes her waiting period, but there is no objection to suggesting it to her indirectly, according to the Words of Allah, Most High:

﴿وَلَا جُنَاحَ عَلَيْكُمْ فِيمَا عَرَّضْتُمْ بِهِ مِنْ خِطْبَةِ النِّسَاءِ﴾

"And there is no sin on you if you make a hint of betrothal"^[2]

So Allah, Most Glorified has permitted a hint, but He has not permitted a clear proposal, and to Him, Most Glorified belongs the most far-reaching Wisdom in that.

Ibn Baz

[1] *Sidr*: An essence derived from the lotus tree.

[2] *Al-Baqarah* 2:235.

The Ruling on a Mourning Woman Answering the Telephone, and Wearing a Watch

Q During the mourning period for the death of a husband, is it permissible for the wife to use the telephone to talk to women and those who are *Mahrams* for her, such as her son, for example?

A Yes, it is permissible for her to do that with women and those men who are *Mahrams* for her, in accordance with the basic principle, which is permission. It is also permissible for her to speak to men other than those who are *Mahrams* for her by telephone, as long as it is in a manner which contains nothing forbidden by the Islamic Law.

Q Is it permissible for a woman during the mourning period to wear a watch, in order to keep the time, not for adornment?

A Yes, it is permissible for her to do that, because the matter is in accordance with the intention. However it is better not to, because it resembles jewelry.

The Permanent Committee

The Ruling on a Woman Answering the Telephone During Her Mourning Period

Q Is it allowed for a woman whose husband has died to answer the telephone while she is still in her mourning period, since she does not know whether it is a man or a woman? And what is incumbent upon a woman during her waiting period?

A During her waiting period, it is incumbent for the woman to avoid adorning herself with blatant or attractive clothing, jewelry, dye, *Kuhl* for the purpose of beautification, and such like.

She should not leave her house, except for necessity, nor should she wear perfume or scent, nor display herself before unrelated men. But it is permissible for her to go out for her needs, modestly and with her *Mahrams*, as it is permissible for her to walk in her house and within its precincts, and to ascend to its roof etc.

If she needs to speak by telephone or otherwise, there is no objection to that; and if she realizes that the speaker is one of those who looks for women and those who wants, to find someone suitable for them, she must terminate the line immediately, as any other woman. But it is permissible for her to talk to her family members who are not *Mahrams* from behind a screen or by telephone or the like, just as it is permissible for her outside the mourning period. And Allah knows best.

Ibn Jibreen

The Ruling on a Mourning Woman Going Out to the Market

Q Is it permissible for the mourning woman to go out to the market in order to fulfill her needs?

A It is permissible for the mourning woman to go out to the market in order to fulfill her needs and to the hospital for treatment. Likewise, it is permissible for her to go out to teach and to study, because these are among the greatest needs, as long as she avoids beautifying herself, wearing perfume and gold, silver and diamond jewelry etc.

The mourning woman is required to take care of five things:

1. To remain in the house in which she was living when her husband died, if that is easy for her.
2. To avoid wearing beautiful clothing.
3. To avoid perfume, unless she was menstruating, in which case, she may use incense once she becomes purified from

her menses.

4. Not to wear gold, silver and diamond jewelry or the like.
5. Not to wear *Kuhl* or henna. Evidence for what we have mentioned has been authentically reported from the Prophet ﷺ.

And Allah is the Granter of success.

Ibn Baz

The Ruling on a Woman in Her Waiting Period Going to School

Q A person says that his daughter's husband has died, and she is obliged to observe the waiting period, but she is a student in school; is it permissible for her to continue her studies or not? And he adds that she will wear clothes which are not perfumed and are not adorned.

A It is incumbent upon a wife whose husband has died to observe the waiting period in the house in which she was living when her husband died for four months and ten days. She must not stay elsewhere, and she must avoid whatever makes her look attractive and encourages glances in her direction. This applies to perfume, *Kuhl* with antimony, attractive clothes, adorning her body and such things which beautify her.

It is permissible for her to go out by day in order to fulfill a need which calls for that. Based upon this, it is permissible for the student in the question to go to school, because she needs to attend the lessons and understand and comprehend matters, as long as she takes care to avoid those things which a woman in the waiting period of mourning the dead is obliged to avoid — things that might tempt men and encourage them to propose to her.

May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

How Can a Woman Who is Employed Observe the Waiting Period?

Q A Muslim woman's husband died, while she was an employee living in a country that does not give the workers more than three days of time off for the death of close relatives. How can she observe the prescribed waiting period in such circumstances, since if she decides to observe her waiting period, she will be dismissed from her work? Should she abandon the religious obligation in order to earn her living?

A It is incumbent upon her to observe the waiting period prescribed by the Islamic Law. She must observe the prescribed mourning throughout the whole of the waiting period. But she may go out during the day in order to work, because it is an important need, and the scholars have determined that it is permissible for the woman observing a waiting period due to bereavement to go out during the day in order to fulfill her needs and work is one of the most important needs.

If she needs to do it at night, it is permissible for her to go out at night by virtue of necessity, if she fears that her employment will be terminated — and it is no secret what harmful things result from being terminated if she is in need of this work.

The scholars have mentioned many reasons that she may leave her husband's house, the house in which she is required to observe her waiting period. Some of these reasons are less important than her going out to work, if she is forced to do so. The basic principle in this matter comes from the Words of Allah, Most Glorified:

﴿وَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ﴾

"So keep your duty to Allāh and fear Him as much as you

can;”^[1]

And the saying of the Prophet ﷺ:

«إِذَا أَمَرْتُكُمْ بِشَيْءٍ فَأَتُوا مِنْهُ مَا اسْتَطَعْتُمْ»

“If I order you to do something, do it as much as you can.”^[2]

And Allah, Most Glorified, Most High knows best.

Ibn Baz

^[1] At-Taghabun 64:16.

^[2] Al-Bukhari no. 7288 and Muslim no. 1337.

The Book of Breast-feeding

The Sons of Your Father Through Breast-feeding From His Second Wife are Your Brothers

Q I was breast-fed by a woman, then her husband married another woman and she bore him sons; are they brothers to me?

A If the breast-feeding took place five times or more and the milk was attributed to the husband by virtue of her having borne him children, then they are brothers for you from your father and your mother through breast-feeding. As for his sons from the other wife, they are brothers for you from your father due to breast-feeding.

Breast-feeding is when the child takes the breast and sucks milk until it reaches his stomach, then he stops breast-feeding, then returns and so on, until he has completed five or more — whether it was in one sitting or more, and whether it was in one day or more, with the condition that it took place during the first two years of the child's life.

This is based upon the *Hadith* of the Prophet ﷺ:

«لَا رَضَاعَ إِلَّا فِي الْحَوْلَيْنِ»

“There is no breast-feeding except in the (first) two years.”^[1]

And the Prophet ﷺ said Sahlah bint Suhail, may Allah be pleased with her:

«أَرْضِعِيهِ - أَيْ سَالِمًا - خَمْسَ رَضَعَاتٍ تَحْرُمِي عَلَيْهِ»


^[1] Ad-Dar Qutni 4/103 no. 4319 and Al-Bayhaqi 7/462.


"Breast-feed Salim five times and you will be forbidden to him."^[1]

And it is also based upon the *Hadith* confirmed in *Sahih Muslim* and *Al-Jami' [Sunan] At-Tirmithi* on the authority of 'A'ishah, may Allah be pleased with her, in which she said: "It was revealed in the Qur'ān that ten known breast-feedings caused prohibition, then it was abrogated by five known breast-feedings. Then the Prophet ﷺ died and the matter remained thus." — and this wording is from the narration of At-Tirmithi. May Allah grant success to all in attaining what pleases Him.

Ibn Baz

That Which is Forbidden Due to Kinship is Forbidden Due to Breast-feeding

 My son was breast-fed by his grandmother on his mother's side and so of course, he became a brother due to breast-feeding for his maternal aunts and uncles; so is it permissible for him to marry his maternal aunts' daughters or his maternal uncles' daughters?

 If the aforementioned child was breast-fed by his grandmother on his mother's side five times or more while he was in the first two years of life, then because of that he becomes a brother to his maternal uncles and aunts, and a paternal uncle to the children of his maternal uncles and aunts. So it is not permissible for him to marry his maternal uncles' daughters, because he has become a paternal uncle to them through breast-feeding. Nor may he marry his maternal aunts' daughters, because he has become a maternal uncle to them, and their descendants, through breast-feeding.

And Allah is the Granter of success.

Ibn Baz

^[1] Muslim no. 1453 .

Regarding Breast-feeding

Q I have a wife and I have eight daughters from her. She has a sister who is fifteen years younger than her. Someone was breast-fed by her mother, and so he became a brother to her. My problem is that my daughters say that he is their maternal uncle through breast-feeding and they remove their veils in front of him, and I forbid them from doing that, but they refuse, so I ask your advice, and may Allah reward you with goodness.

A If the aforementioned man was breast-fed five times or more by your wife's mother, or by the wife of her father while she was under the authority of her father — and he was in the first two years of life — then he is a maternal uncle to your daughters through breast-feeding. Based upon that, it is permissible for them to unveil themselves before him like the rest of the *Mahrams* and to be alone with him, according to the saying of the Prophet ﷺ:

«يَحْرُمُ مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

“That which is forbidden due to kinship is forbidden due to breast-feeding.”^[1]

This is if there is no doubt or suspicion to forbid seclusion with any of them.

Ibn Baz

Your Brother's Father Through Breast-feeding is Not a *Mahram* For You

Q My youngest sister was breast-fed by my eldest sister, along with her son, and my son was also breast-fed by my eldest sister. Is it permissible for my son's father — that is, my husband — to be a *Mahram* to my youngest and eldest

^[1] Al-Bukhari no. 2645 and Muslim no. 1444.

sisters, so that they may unveil themselves before him? May Allah reward you with goodness.



It is not permissible for your youngest and eldest sisters to unveil themselves before your husband based on your son being breast-fed by your eldest sister. Only the husband of your sister who breast-fed your son with her milk will be a father through breast-feeding and forbidden to the wife of this son. This is because she is the wife of his son through breast-feeding and this is based upon the condition that the breast-feeding took place five times or more during the first two years, according to the saying of the Prophet ﷺ:

«يَحْرُمُ مِنَ الرَّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

“That which is forbidden due to kinship is forbidden due to breast-feeding.”^[1]

Ibn Baz

A Question Regarding Breast-feeding



I want to marry the daughter of my maternal uncle. But there is a person who was breast-fed with my uncle by my grandmother, so he has become my maternal uncle through breast-feeding. This daughter of my maternal uncle was breast-fed by the mother of this person, so she has become his sister through breast-feeding. Is it permissible for me to marry my maternal uncle's daughter, bearing in mind that there is no breast-feeding between us — neither from my mother, nor from her mother?



Before answering this question, I would like to make clear that the breast-feeding which prohibits (marriage) is that which takes place on five clear occasions or more, during the first two years before weaning; anything less than five times has no effect. So if a child was breast-fed by a woman four times, he

^[1] Al-Bukhari no. 2645 and Muslim no. 1444.

would not be a son to her, because there must be five breast-feedings. This is confirmed in *Sahih Muslim* from the *Hadith* of ‘A’ishah, may Allah be pleased with her.

When this is clear, then (it is obvious that) this man who was breast-fed by your grandmother is not an uncle to you, unless the conditions of breast-feeding were fulfilled. If he were an uncle, then the daughter of your uncle whom you wish to marry would be permissible for you, even if she was breast-fed by the mother of this man who was breast-fed with your uncle by your grandmother. This is because prohibition is not transmitted by breast-feeding except to the one who is breast-fed and his descendants. As for the relatives of the one who was breast-fed, such as *Al-Usul* (parents, grandparents etc.) and *Al-Hawashi* (uncles, cousins etc.), the breast-feeding is not transmitted to them.

Ibn ‘Uthaimin

One Breast-feed Does Not Bring About Prohibition

Q My mother informed me that I was breast-fed one time by a woman whose daughter I wish to marry; is it permissible for me to marry this daughter?

A In order for prohibition to be brought about, the breast-feedings must take place five times or more, while the child is still in the first two years of life. If it is less than this, then it does not bring about prohibition. This is based upon the saying of the Prophet ﷺ:

«أَرْضِعِيهِ - أَيْ سَالِمًا - خَمْسَ رَضَعَاتٍ تَحْرُمِي عَلَيْهِ»

“Feed Salim five times and you will be forbidden to him.”^[1]

And, the *Hadith* confirmed from ‘A’ishah, may Allah be pleased with her, in which she said: “It was revealed in the Qur’ān that

[1] Muslim no. 1453.

ten known breast-feedings caused prohibition, then it was abrogated by five known breast-feedings. Then the Prophet ﷺ died and the matter remained thus." Narrated by Muslim in his *Sahih*, and At-Tirmithi in his *Jami'* [Sunan], and this is his wording.

And, the saying of the Prophet ﷺ:

«لَا رَضَاعَ إِلَّا فِي الْحَوْلَيْنِ»

"There is no breast-feeding, except in the (first) two years."^[1]

And Allah is the Granter of success.

Ibn Baz

Prohibition is Not Brought About Except by Five Breast-feedings

Q I was breast-fed by a woman three times, one breast-feeding each day in a different sitting. Am I a brother to the son of the woman who breast-fed me or not? Advise us and may Allah reward you.

A These three breast-feedings do not bring about the prohibition of breast-feeding. The prohibition of breast-feeding is only incurred by five breast-feedings or more. This is based upon the saying of the Prophet ﷺ:

«لَا تُحَرِّمُ الرِّضْعَةُ أَوْ الرِّضْعَتَانِ»

"Neither one breast-feeding nor two causes prohibition."^[2]

And, the report confirmed from 'A'ishah, may Allah be pleased with her, in which she said: "It was revealed in the Qur'an that ten known breast-feedings caused prohibition, then it was abrogated by five known breast-feedings. Then the Prophet ﷺ died and the matter remained thus." Narrated by Muslim in his

^[1] Dar Qutni 4/103 no. 4319.

^[2] Muslim no. 1451.

Sahih, and At-Tirmithi in his *Jami'* [*Sunan*], and this is his wording.

Breast-feeding means that the child takes the breast and swallows the milk, even if he did not drink his fill after a long time. Once he becomes detached from it, that is one breast-feeding. Then if he returns and takes the breast again and sucks milk from it, that is a second breast-feeding and so on. This is also based upon the condition that the child is in the first two years of life, according to the saying of the Prophet ﷺ:

«لَا رَضَاعَ إِلَّا فِي الْحَوْلَيْنِ»

"There is no breast-feeding, except in the (first) two years."^[1]

And his saying:


«إِنَّمَا الرِّضَاعَةُ مِنَ الْمَجَاعَةِ»


"Breast-feeding is only from hunger (i.e. in infancy)."^[2]

And Allah is the Granter of success.

Ibn Baz

The Breast-feeding of the Paternal Uncle's Daughter With the Brother

 My paternal uncle has a daughter whom I wish to marry, but it has been made known to me that she was breast-fed along with my brother who is younger than the brother who came after me. She was breast-fed more than five times, as was my brother; what is the ruling of the religion in this matter, is she permissible for me or not?

 If the aforementioned girl was breast-fed by your mother five times or more, during the first two years of her life, then she is a sister to you and to all of your brothers from your

^[1] Dar Qutni 4/103 no. 4319.

^[2] Muslim no. 1455.

father and mother — if she was breast-fed when your mother was married to your father.

But if she was married to a man other than your father, then she will be a sister from your mother through breast-feeding to you and to all of her sons from all of her husbands. This is in accordance with the Words of Allah, Most Glorified, Most High in *Surat An-Nisa'*:

﴿رَأْمَهُنَّكُمُ الَّتِي أَرْضَعْنَكُمْ وَأَخَوَاتُكُم مِّنَ الرِّضَاعَةِ﴾

“your foster mothers who suckled you, your foster milk suckling sisters,”^[1]


And, the saying of the Prophet ﷺ:


«يَحْرُمُ مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

“That which is forbidden due to kinship is forbidden due to breast-feeding.”^[2]

Ibn Baz

The Manner of the Five Breast-feedings

 What is the manner of the five breast-feedings by which a child becomes a brother to the sons of the breast-feeding woman?

 The best saying — the middle saying — is that one breast-feeding is when the breast is taken in his mouth and milk is sucked from it, then he leaves it. Whether he drinks his fill or not, and whether he leaves it himself or the woman removes it from his mouth or transfers him to the other breast. So one breast-feeding is his taking the breast and then leaving it. If he does that five times, the child becomes a son for the breast-feeding woman, even if he was not satisfied by the five feedings

^[1] *An-Nisa'* 4:23.

^[2] Al-Bukhari no. 2645 and Muslim no. 1444.

and even if it was all in one sitting. It has been said that one breast-feeding is when the child has his fill, but the first saying is more widely known.

Ibn Jibreen

Is His Sister Through Breast-feeding a Sister to All of His Brothers?

Q A person is the third among his brothers, and he was breast-fed along with a girl from another family. Is this girl considered to be a sister to all of his brothers, whether younger or older than he, or not? And likewise, (are) his brothers from another mother (also considered her brothers)?

A The breast-feeding which results in prohibition is that which takes place five times or more and which occurs during the first two years of the child's life, according to the Words of Allah, Most High:

﴿وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَدَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُنِمَّ الرِّضَاعَةَ﴾

"The mothers should suckle their children for two whole years, (that is) for those (parents) who desire to complete the term of suckling,"^[1]

And, according to the confirmed narration from 'A'ishah, may Allah be pleased with her, in which she said: "It was revealed in the Qur'an that ten known breast-feedings caused prohibition, then it was abrogated by five known breast-feedings. Then the Prophet ﷺ died and the matter remained thus."

One breast-feeding is when the child sucks milk from the breast, then leaves it, either to take a breath, or to transfer to the other breast, or some such thing. Then if he returns, it is a second breast-feeding, and so on. If it is confirmed that the person was breast-fed by the girl's mother, or from the milk of her father's

^[1] Al-Baqarah 2:233.

wife, as previously described, then he will be a brother to this girl and to all of her brothers and sisters. Whether they are from the mother and father, or from (only) the father or (only) the mother. As for his brothers, it is permissible for any one of them to marry this girl, or any one of her sisters and there is no effect from this breast-feeding upon the aforementioned marriage.

The Permanent Committee

Breast-feeding After the Menopause is the Same as Breast-feeding Before it

Q What is the ruling on the milk of a woman who has reached post-menopausal age if she breast-feeds a child five times or more during the first two years of life? And does this milk cause prohibition, and who will be his father through breast-feeding, when the woman who breast-feeds might be without a husband?

A Breast-feeding prohibits that which is prohibited by kinship; accordingly, the breast-feeding which was indicated (above) was five breast-feedings during the first two years, and based upon this, the breast-feeding woman will be a mother due to this breast-feeding, according to the generality of the Words of Allah, Most High:

﴿وَالَّذِينَ أَنْعَمَ اللَّهُ عَلَيْكُمْ﴾

"your foster mothers who suckled you,"^[1]

Even if the milk had flowed after she reached the age of menopause. If she was married, then the son by breast-feeding would be a son to her and a son to the man to whom the milk was ascribed. If she was not married, meaning that she had not married, then she produced milk, then she would be a mother to this boy she had breast-fed, and he would have no father through breast-feeding.

^[1] *An-Nisa'* 4:23.

It is not surprising that the boy should have a mother through breast-feeding and no father, nor is it surprising that he should have a father through breast-feeding and no mother. In the first case, if there was a woman who breast-fed this child twice with milk and she had a husband, then that husband was parted from her and she married another man after the end of the waiting period, then she became pregnant by him and delivered a child and she fed the rest of the breast milk to the first child, she would be a mother to him through breast-feeding. This is because he had been breast-fed by her five times and he would have no father, because she did not breast-feed with the milk of a man five times or more. That is, she did not breast-feed with the milk of one man five times or more. As for the second case, it is when the child has a father through breast-feeding and no mother. For example, when there is a man who has two wives and one of them breast-feeds this child twice and the other one feeds him the remainder of the breast-feedings. In this situation, he will be a son to the husband because he was breast-fed five times with the milk ascribed to him, and he would not have a mother through breast-feeding, since he was only breast-fed by the first wife twice, and he was breast-fed by the second one three times.

Ibn 'Uthaimin

That Which is Prohibited by Kinship is Prohibited by Breast-feeding

Q I wish to marry a certain young woman, but there is a problem on which I want to know the ruling of the Islamic Law. I was breast-fed with the son of a certain family, and this girl was also breast-fed with a daughter of this family; that is, she was breast-fed along with the sister of the brother who was breast-fed with him. Bearing in mind that I was not breast-fed with any of the sisters of this girl, and she was not breast-fed by my mother. Is it permissible for me to marry her?

A If you were breast-fed by a woman (Zainab, for example) and she had also breast-fed another boy or another girl, she would be a sister to you, whether she was before you or after you — if the breast-feeding was full and complete, being five or more feedings during the first two years.

Ibn Baz

He Married His Sister Through Breast-feeding in Ignorance

Q It became apparent to me after having sex with my wife that she was my sister through breast-feeding, because I was breast-fed with her sister, so is she forbidden to me in this situation?

A Yes, if the matter is as you have stated, that you were breast-fed with the wife's sister by her mother — meaning that you were breast-fed by the wife's mother, or by her father's wife — then you are, in this case, a brother and the contract is invalid.

But you must know that there is no effect from breast-feeding unless it took place five times or more during the first two years of life, before weaning. If it was less than this, then there is no effect from it, and prohibition is not brought about. Then if you are certain that you were breast-fed five times or more during the first two years by the mother of the woman you married, the two of you must part, due to the marriage being invalid. As for any children born before you knew, they are legally attributed to you, because those children were created from a fluid (i.e. sperm) through sexual intercourse which took place in ignorance, and when sexual intercourse takes place due to ignorance, kinship of the child is attributed to the father, as the scholars have said.

Ibn 'Uthaimin

He Married His Sister Through Breast-feeding

Q I am a young woman from Morocco and I married my paternal uncle's son about four years ago. Before my marriage to him, we asked one of the scholars in my country if my marriage to him was permissible or not, because I was breast-fed by his mother, along with his younger brother, who is about my age. The difference between my age and that of my husband is fifteen years, and that is the age difference between him and his brother. That scholar told us that I was permissible for him, so the marriage was completed in the required manner. But two years after the marriage, there was a religious discussion on one of the programs on television in Morocco, and the scholars delivered a verdict of prohibition. So my husband and I became uncertain regarding our case. I request you to advise us, is this marriage permissible or not? And am I considered a sister to my husband through breast-feeding, or a sister to his brother who was breast-fed with me only?

A If your breast-feeding from your husband's brother took place five times or more during the first two years, then you are his sister through breast-feeding, even though you were breast-fed with his younger brother, according to the consensus of the Muslims. The person who delivered a verdict to you which stated that it was permissible was absolutely wrong and he gave the verdict without knowledge. Allah, Most Glorified has said in His Noble Book, making plain those women whom it is forbidden to marry in *Surat An-Nisa'*:

﴿حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ وَبَنَاتُكُمْ وَأَخَوَاتُكُمْ﴾

"Forbidden to you (for marriage) are: your mothers, your daughters, your sisters,^[1]

up to the Words of Him, Most Glorified:

﴿وَأُمَّهَاتُكُمُ اللَّاتِي أَرْضَعْنَكُمْ وَأَخَوَاتُكُم مِّنَ الرَّضْعَةِ﴾

^[1] *An-Nisa'* 4:23.

“your foster mothers who suckled you, your foster milk suckling sisters,”^[1]

In the Two *Sahihs*, it is reported on the authority of ‘A’ishah and Ibn ‘Abbas, may Allah be pleased with them, from the Prophet ﷺ that he said:

«يَحْرُمُ مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

“That which is forbidden due to kinship is forbidden due to breast-feeding.”^[2]

And the *Hadiths* on this subject are numerous.

May Allah grant success to us all in understanding the religion and make us firm upon it.

Ibn Baz

This Breast-feeding Has no Effect

Q My mother died when I was six months old. Then my grandmother took care of me, and she gave me cow’s milk, and sometimes the breast in order to comfort me, but there was nothing in it. So is it permissible for me to marry one of my paternal uncles’ or aunts’ daughters?

A Since your grandmother was old at that time and she did not give you milk when she gave you the breast to suck, and it was only to comfort you and quiet you, it is permissible for you to marry any of the daughters of your paternal uncles, and there is no kinship which would forbid it, nor any confirmed breast-feeding which would affect it.

Ibn Jibreen

^[1] *An-Nisa’* 4:23.

^[2] Al-Bukhari no. 2645 and Muslim no. 1444.

Her Uncle Was Breast-fed With Me by My Mother, so is She Permissible to Me?

Q My maternal uncle has a daughter and I would like to marry her, but there is a problem of breast-feeding between her paternal uncle — her father's brother — and myself. Her uncle was breast-fed with me by my mother, who is also naturally the sister of the girl's paternal uncle, who is my brother through breast-feeding. At the same time, my maternal uncle is my mother's brother; bearing in mind that we do not know how many times he was breast-fed, is she permissible for me or not?

A This breast-feeding does not affect you, since the girl was not breast-fed by your mother, nor were her father or mother breast-fed (by her), nor were you breast-fed by her mother or her father's wife. So her paternal uncle's breast-feeding does not affect you; indeed, nor does the breast-feeding of her brothers, because the ruling concerns only her and those from whom she is descended. Accordingly, she is permissible to you, Allah Willing, especially since there is doubt about the number of times it took place, and the basic principle is permissibility. And Allah knows best.

Ibn Jibreen

Leave What Makes You Doubt For That Which Does not Make You Doubt

Q I am a young man of twenty years of age and when I thought about completing the half of my religion (i.e. marrying), I thought of a girl from my family. When I asked and inquired about her, I came to know that I was breast-fed when I was small by the mother of the girl from this family to whom I wished to propose marriage, and the girl's mother does not know how many times she breast-fed me, bearing in mind that when she breast-fed me, she had only one child,

and my mother had died at that time. So is it permissible for me to marry her daughter or is it forbidden for me, since she will be a sister to me through breast-feeding? I request a reply and may Allah reward you with the best reward and make your knowledge of benefit and recompense you.



If there was breast-feeding which brings about prohibition — and that is five clear breast-feedings — then this woman is not permissible for you, because she is your sister and her mother is your mother through breast-feeding. If the mother is not certain of the number of breast-feedings, then it is better for you to seek another, since it is possible that she is forbidden to you. So leave what makes you doubt in favor of what does not make you doubtful, especially since your mother had died when you were being breast-fed. Therefore, it is most likely that she would have breast-fed you a lot. And Allah is the Granter of success.

Ibn Jibreen

Breast-feeding Which Brings About Prohibition



My father has a wife who is not my mother and she has children from my father. We have an aunt, my mother's sister, who breast-fed me and my brothers born of my mother, and she has children, both male and female. My question is, is it permissible for my brothers from my father to sit and talk with the daughters of my maternal aunt, without them wearing a veil, bearing in mind that my brothers from my father did not complete their breast-feeding from my aunt, who is my mother's sister. Do the sons and daughters of my maternal aunt become brothers to us all?



It is not permissible for your brothers who were not breast-fed by your maternal aunt to consider themselves *Mahrams* for her daughters, because they were not breast-fed by

her. The *Mahrams* of your aunt's daughters are only those who were given a complete breast-feeding by her — which is five breast-feedings or more, while they were in the first two years of life. This is based upon the saying of the Prophet ﷺ:

«لَا رَضَاعَ إِلَّا فِي الْحَوْلَيْنِ»

"There is no breast-feeding except in the (first) two years."^[1]

And, according to the narration confirmed from 'A'ishah, may Allah be pleased with her, in which she said: "It was revealed in the Qur'an that ten known breast-feedings caused prohibition, then it was abrogated by five known breast-feedings. Then the Prophet ﷺ died and the matter remained thus." Narrated by Muslim in his *Sahih* and by At-Tirmithi in his *Jami'*, and this is his wording.

The Prophet ﷺ also said:

«يَحْرُمُ مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

"That which is forbidden due to kinship is forbidden due to breast-feeding."^[2]

Ibn Baz

The Husband is the Owner of the Milk

Q A child was brought up in his paternal uncle's house and he was breast-fed by his uncle's first wife. Then after a while, his uncle married another woman and she bore him a daughter. Is it permissible for this child (when he grows up) to marry his uncle's daughter born to him by the second wife from whom he was not breast-fed?



If the aforementioned child was breast-fed by his paternal uncle's wife five times or more during his first two years,

[1] Dar Qutni 4/103 no. 4319 and Al-Baihaqi no. 7/462.

[2] Al-Bukhari no. 2645 and Muslim no. 1444.

then he becomes the son of his uncle through breast-feeding, and all of his uncle's children — male and female — from all of his wives are brothers and sisters to him through breast-feeding. Therefore, you should know that it is forbidden for the aforementioned child to marry the aforementioned daughter, since she is his sister from his father through breast-feeding — if the situation is as mentioned. For Allah, Most Glorified has said in His Clear Book, when He mentioned those women whom it is forbidden to marry:

﴿وَأُمَّهَاتُكُمُ اللَّاتِي أَرْضَعْنَكُمْ وَأَخَوَاتُكُم مِّنَ الرَّضَاعَةِ﴾

“your foster mothers who suckled you, your foster milk suckling sisters,”^[1]

And, the Prophet ﷺ said:

«يَحْرُمُ مِنَ الرَّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

“That which is forbidden due to kinship is forbidden due to breast-feeding.”^[2]

Ibn Baz

The Limits of Prohibition in Breast-feeding

Q There are two women, the first has a son and the second has a daughter, and it happened that they were both breast-fed (by each other's mothers), so which of the siblings of the two breast-fed children are permissible to each other? Advise us, and may Allah reward you with goodness.

A If a woman breast-feeds a child five clear breast-feedings — or more than five — during the first two years, then the breast-fed child becomes a son to her and her husband, the owner of the milk. Then all of the woman's children — from her husband who is the owner of the milk and from any other man

^[1] An-Nisa' 4:23.

^[2] Al-Bukhari no. 2645 and Muslim no. 1444.

— are brothers and sisters to the child who was breast-fed. The children of the husband, the owner of the milk of the breast-feeding woman, and children from any other wife, become brothers and sisters to the breast-fed child. Her brothers become maternal uncles to him and the brothers of the husband, the owner of the milk, become paternal uncles to him. The father of the woman becomes a grandfather to the breast-fed child, and her mother a grandmother to the breast-fed child, and the father of the husband, the owner of the milk, becomes his grandfather, and his mother becomes his grandmother. This is based upon the Words of Allah, the All-Powerful, Most High, in *Surat An-Nisa'*, regarding those women whom it is forbidden to marry:

﴿وَأُمَّهَاتُكُمُ الَّتِي أَزْضَعْنَكُمْ وَأَخَوَاتُكُم مِّنَ الرِّضَاعَةِ﴾

"your foster mothers who suckled you, your foster milk suckling sisters,"^[1]

And the saying of the Prophet ﷺ:

«يَحْرُمُ مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

"That which is forbidden due to kinship is forbidden due to breast-feeding."^[2]

And his saying:

«لَا رِضَاعَ إِلَّا فِي الْحَوْلَيْنِ»

"There is no breast-feeding except in the (first) two years."^[3]

And the confirmed narration in *Sahih Muslim* — may Allah have mercy on him — in which 'A'ishah, may Allah be pleased with her said: "It was revealed in the Qur'an that ten known breast-feedings caused prohibition, then it was abrogated by five known breast-feedings. Then the Prophet ﷺ died and the matter remained thus." Narrated by At-Tirmithi with this

[1] *An-Nisa'* 4:23.

[2] Al-Bukhari no. 2645 and Muslim no. 1444.

[3] Dar Qutni 4/103 no. 4318 and Baihaqi 7/462.

wording and the basis of it is in *Sahih Muslim*.

Ibn Baz

The Daughter of Your Paternal Aunt's Son Who Was Breast-fed With Your Sister is Forbidden to You

Q My paternal aunt has a son who has a daughter. This son of my aunt was breast-fed with my elder sister. Is it permissible for me to marry his daughter, or is she forbidden to me, since her father was breast-fed with my elder sister, so he is a brother to me?

A If the situation is as described by the questioner, and the aforementioned breast-fed child was suckled by the questioner's mother five times or more while he was in the first two years of life, then it is not permissible for the questioner to marry his daughter.

This is because in this case, he has become her paternal uncle through breast-feeding. It has been authentically reported from the Prophet ﷺ that he said:

«يَحْرُمُ مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

"That which is forbidden due to kinship is forbidden due to breast-feeding."^[1]

And 'A'ishah, may Allah be pleased with her said: "It was revealed in the Qur'an that ten known breast-feedings caused prohibition, then it was abrogated by five known breast-feedings. Then the Prophet ﷺ died and the matter remained thus." Narrated by Muslim in his *Sahih* and by At-Tirmithi, and the wording is the same.

And Allah is the Granter of success.

Ibn Baz

[1] Al-Bukhari no. 2645 and Muslim no. 1444.

The Breast-feeding of Your Brother With Your Wife's Sister Does Not Affect Your Marriage

Q A man's eldest brother was breast-fed along with his wife's sister by her mother. Is there any effect from this breast-feeding on her sister remaining under his authority?

A The breast-feeding of the questioner's eldest brother along with his wife's sister by her mother does not affect the continued validity of the questioner's marriage to his wife. This is because the fact that his wife is a sister to his brother through breast-feeding does not make her forbidden to him; it only makes her forbidden to his brother — if he was breast-fed five times or more, and it took place during the first two years of his life. And Allah is the Granter of success. May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

Breast-feeding After Menopause Prohibits (Marriage)

Q The following question was received by the General Presidency for the Administration of Scientific Researches, Religious Verdicts, Preaching and Guidance: Al-Hajjah Mas'udah, after giving birth to a son, 'Abdur-Rahman was no longer able to bear children, having reached menopausal age. Then when 'Abdur-Rahman was four years of age, a child was born to her eldest son, Muhammad and he called him Al-Mas'ud. Then when Al-Mas'ud was one year and nine months old, his grandmother, Al-Hajjah Mas'udah gave him her breast after her son, 'Abdur-Rahman had been weaned. So we do not know if she had milk or not.

Is it permissible for Al-Mas'ud to marry the daughter of his paternal uncle, Al-Mukhtar or not? And what is the ruling of the religion on this?



The breast-feeding which results in a prohibition is five clear breast-feedings or more, during the first two years of life, according to the Words of Allah, Most High:

﴿وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَدَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُتِمَّ الرَّضَاعَةَ﴾

"The mothers should suckle their children for two whole years, (that is) for those (parents) who desire to complete the term of suckling,"^[1]

And according to the narration reported from 'A'ishah, may Allah be pleased with her, in which she said: "It was revealed in the Qur'ān that ten known breast-feedings caused prohibition, then it was abrogated by five known breast-feedings."

So if the breast-feeding of Al-Mas'ud bin Muhammad by his grandmother, Mas'udah was in the manner described in the Verse and the *Hadith*, and it was ascertained by asking his grandmother, Mas'udah if she gave him milk, it would not be permissible for Mas'ud to marry the daughter of his uncle, Al-Mukhtar, because in the above-mentioned circumstances, he would be her paternal uncle. If there is any doubt over whether she gave him milk, or the breast-feeding took place less than five times, it would be permissible for him to marry her.

May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

Blood Does Not Transmit Prohibition Like Breast-feeding



If a woman became ill and required blood and it was taken for her from a person who was unrelated (i.e. not a *Mahram*) to her, then Allah, Most High cured her and that person wished to marry her; is it permissible or not?

^[1] Al-Baqarah 2:233.



The case of taking blood from the man for the woman, and it being transfused to her in order to give her strength does not result in a prohibition like breast-feeding, even if it was a lot. The ruling is the same if a man is transfused with blood from a woman. Therefore, it is permissible for each of them to marry the other.

The Permanent Committee

If You Were Breast-fed by Your Grandmother, it is Forbidden For You to Marry Your Maternal Uncle's Daughter



I was breast-fed by my grandmother — my mother's mother, so is it permissible for me to marry the daughter of my maternal uncle — my mother's brother from the same mother and father?



The breast-feeding which brings about prohibition is five breast-feedings or more during the first two years of life. One breast-feeding is when the child takes the breast and sucks milk from it, then leaves it. Then if he returns to it and sucks milk from it, it is considered a second breast-feeding, and so on. So if you were breast-fed by your grandmother five times or more in the aforementioned manner, you have become a brother to your maternal uncle through breast-feeding, according to the Words of Allah, Most Glorified:

﴿حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ﴾

"Forbidden to you (for marriage) are: your mothers,"^[1]

And:

﴿وَبَنَاتُ الْأَخِ وَبَنَاتُ الْأُخْتِ﴾

"your brother's daughters, your sister's daughters,"^[2]

^[1] An-Nisa' 4:23.

^[2] An-Nisa' 4:23.

And according to the narration confirmed from the Prophet ﷺ, in which he said:

«إِنَّ الرِّضَاعَةَ تُحَرِّمُ مَا تُحَرِّمُ الْوِلَادَةُ»

“That which is forbidden due to birth is forbidden due to breast-feeding.”^[1]

And according to the narration confirmed from ‘A’ishah, may Allah be pleased with her, in which she said: “It was revealed in the Qur’ān that ten known breast-feedings caused prohibition, then it was abrogated by five known breast-feedings. Then the Prophet ﷺ died and the matter remained thus.”

If your breast-feeding from your grandmother took place less than five times as mentioned, or outside the first two years, it is permissible for you to marry your maternal uncle’s daughter.

The Permanent Committee

There is no Effect From This Breast-feeding

Q A woman has married daughters and one of them gave birth to a boy who was breast-fed by his maternal grandmother, and the boy who was breast-fed by his grandmother has brothers. What is the effect of this breast-feeding on his brothers, and is it permissible for one of the suckled boy’s brothers to marry one of his maternal aunts’ daughters, those who did not breast-feed and were not breast-fed? I request a legal verdict on this and I ask Allah — Mighty is His Ability — to strengthen and may Allah preserve you.

A If the situation is as you have described in the question: that one of the sons was breast-fed by his maternal grandmother, and his brothers were not breast-fed by her, it is permissible for his brothers to marry their maternal aunts’

^[1] Al-Bukhari no. 2646 and Muslim no. 1444.

daughters. The fact that he was breast-fed by his grandmother does not effect the marriage of any of his brothers with any of the daughters of his maternal aunts.

May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

If You Were Breast-fed by a Woman, it is Forbidden For You to Marry Her Children

Q I am a young man who wishes to marry a man's daughter. The problem is that I was breast-fed by the wife of the man along with a daughter, and that daughter who was breast-fed with me has died. After her, the man's wife gave birth to another daughter. Is it permissible for me to marry this daughter or not? Deliver a legal verdict for me and may Allah reward you with goodness.

A If the wife of the man whose daughter you wish to marry breast-fed you five times or more while you were still in the first two years of life, then she will be your mother through breast-feeding and her husband will be your father through breast-feeding and their daughters will be your sisters. In this case it will not be permissible for you to marry any of them, according to the Words of Allah, Most High in *Surat An-Nisa'*, where He mentions those women whom it is forbidden to marry:

﴿وَأُمَّهَاتُكُمُ اللَّاتِي أَرْضَعْنَكُمْ وَأَخَوَاتُكُم مِّنَ الرَّضَاعَةِ﴾

"your foster mothers who suckled you, your foster milk suckling sisters,"^[1]

And according to the saying of the Prophet ﷺ:

«يَحْرُمُ مِنَ الرَّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

^[1] *An-Nisa'* 4:23.

“That which is forbidden due to kinship is forbidden due to breast-feeding.”^[1]

And it is confirmed from ‘A’ishah, may Allah be pleased with her that she said: “It was revealed in the Qur’ān that ten known breast-feedings caused prohibition, then it was abrogated by five known breast-feedings. Then the Prophet ﷺ died and the matter remained thus.” Narrated by Muslim in his *Sahih* and by At-Tirmithi, and the wording is his. And there are other *Hadiths* on this subject.

However, if the breast-feedings were less than five, or if you were older than two years when you were breast-fed, then the above-mentioned breast-feeding does not bring about prohibition. In that case, the breast-feeding woman will not be a mother to you, nor will her husband be a father to you, and their daughters will not be forbidden to you due to this breast-feeding. This is the most correct saying of the scholars, due to the aforementioned *Hadiths* and other *Hadiths*, such as the words of the Prophet ﷺ:

«لَا رَضَاعَ إِلَّا فِي الْحَوْلَيْنِ»

“There is no breast-feeding except in the (first) two years.”^[2]

And:

«لَا تُحَرِّمُ الرِّضْعَةُ وَلَا الرِّضْعَتَانِ»

“One breast-feeding does not bring about prohibition, nor do two.”^[3]

And in other *Hadiths*, as mentioned by the scholars. And Allah is the Granter of success.

Ibn Baz

[1] Al-Bukhari no. 2645 and Muslim no. 1444.

[2] Dar Qutni 4/103 no. 4319 and Al-Baihaqi no. 7/462.

[3] Muslim no. 1451.

The Paternal Aunts of Your Sisters Through Breast-feeding Are Forbidden to You

Q I have sisters through breast-feeding and they have paternal aunts; are the paternal aunts of my sisters through breast-feeding aunts to me or not? And are they forbidden to me as they would be forbidden to me due to kinship? Benefit me (with advice) and may Allah benefit you.

A If you are a brother to them from the father's side, or from both parents through breast-feeding, then their paternal aunts are paternal aunts to you, because they are your father's sisters through breast-feeding. So it is not permissible for you to marry them, just like aunts through kinship, according to the words of the Prophet ﷺ:

«يَحْرُمُ مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

"That which is forbidden due to kinship is forbidden due to breast-feeding."^[1]

This is the case, unless they are paternal aunts to your sisters from their father through breast-feeding and not your father. Because they were breast-fed by a woman who did not breast-feed you, so they will be unrelated to you, and there will be no objection to your marrying any of them, as they will not be paternal aunts to you, but only aunts to your sisters. This is because they are your sisters by their father due to breast-feeding, not your father. And Allah is the Granter of success.


Ibn Baz

The Breast-feeding of an Adult Has no Effect

Q I have heard from some people that a man being breast-fed by his wife is not forbidden, and this has caused me


^[1] Al-Bukhari no. 2645 and Muslim no. 1444.


some misgivings. How can his wife be his mother through breast-feeding and not be forbidden? I request clarification.

 The breast-feeding of an adult has no effect, because the breast-feeding which has an effect is that which takes place five times or more during the first two years and before weaning. As for breast-feeding an adult, it has no effect, and therefore, should it happen that someone was breast-fed by his wife, or he drank her milk, he would not be her son.

Ibn 'Uthaimin


A Question Regarding Breast-feeding

 Faisal was breast-fed along with Muhammad with a complete breast-feeding. Because Faisal has an elder sister, is Muhammad forbidden to her or not? And if the answer is no, is it permissible for Muhammad to marry her or not? I request your advice.

 The above mentioned breast-feeding is exclusive to the above mentioned Faisal, if he was breast-fed by the mother of Muhammad five times or more during the first two years. In that case, he will be a brother thereby to her children — male and female. As for his brothers and sisters, there is no connection to them from the above-mentioned breast-feeding, and they will not be brothers to this Muhammad, so it is permissible for Muhammad to marry Faisal's sister, if there was no other breast-feeding between them, nor any kinship which would prohibit that. And Allah is the Granter of success.

Ibn Baz

They Are Maternal Uncles to You Through Breast-feeding

 My mother was breast-fed by another woman, and this breast-feeding woman has co-wives; are the daughters of

these co-wives considered sisters to me as well, or not?



This breast-feeding woman is considered your grandmother, since she suckled your mother. Her husband is considered your mother's father and your grandfather from your mother. Her co-wives are considered the wives of your grandfather from your mother, and their children are your maternal uncles and your mother's brothers, since their father is your grandfather. They are the children of your grandfather, so they will be maternal uncles to you through breast-feeding.

Ibn Jibreen

Simple Doubt Regarding Breast-feeding Does Not Invalidate the Marriage



A man married his maternal uncle's daughter, and she bore him five children. After this period of time, the members of his family and his mother began to talk, and she remembered that she had breast-fed his wife when she was nine months old. At first, she said that she had breast-fed her once, and after she was pressed to remember and to speak truthfully, she said that she does not remember whether it was one time or more, because it was a long time ago — twenty years have passed. So what should the husband do in this situation?




The husband should not do anything in this situation. Breast-feeding is not confirmed unless it occurs five times during the first two years of life and before weaning. Anything other than this does not cause prohibition, nor are any of the rulings of breast-feeding confirmed by it. But if there is any doubt over whether the breast-feeding amounted to five times or less than five times, then the basic principle is that it is not confirmed, and there is no prohibition in that case.


But it is more prudent not to marry her if there is doubt. However, if the marriage has already taken place and the

contract was made in a correct manner, then he is not obliged to part from her since there is nothing definite to invalidate it. So the contract is now confirmed and sure, while the thing which would invalidate it is not sure; and something which is sure is not abandoned for something which is not sure. Therefore, in this case, he should remain with his wife and there is no sin upon him, unless the mother remembers later that she breast-fed this wife five times or more during the breast-feeding period in which prohibition is confirmed. In that case, it will be clear that the contract is invalid, he would be obliged to part from her, and any children born would be legitimately attributed to the man, because they were created from the water (i.e. sperm) of a man who believed that he had fulfilled the requirements of the Islamic Law.

Ibn 'Uthaimin

If a Child is Weaned, His Being Breast-fed Has no Effect

 A four year-old female child was breast-fed by a woman who is a mother of a one year-old boy; will she be a sister to this boy who is three years younger than her?

 This breast-feeding has no effect. The majority of scholars hold the view that once a child has reached two years of age, there is no effect from his being breast-fed after that. Among them are those who hold the view that it is the weaning of the child which is taken into account. So if the child was weaned, even if it occurred before two years, his being breast-fed would have no effect; and if he was not weaned, even after two years, then his being breast-fed would have an effect. But in most cases, a girl who has reached four years of age has been weaned, so her being breast-fed would have no effect.

Ibn 'Uthaimin

The Breast-feeding Which Causes Prohibition

Q Breast-feeding prohibits marriage between the two children who were breast-fed, but does it prohibit marriage between all of the brothers and sisters on both sides? We request clarification, may Allah reward you with goodness.

A If a person is breast-fed in a manner according to the Islamic Law, by which prohibition occurs — and that is five breast-feedings or more, when the breast-feeding takes place during the first two years — then that results in it being prohibited to marry the breast-feeding woman and her mothers (i.e. mother, grandmother etc.), her sisters, her paternal aunts, her maternal aunts, her daughters, her sons' and her daughters' daughters and their descendants — whether they are from the husband or other husbands, according to the words of the Prophet ﷺ:

«يَحْرُمُ مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

“That which is forbidden due to kinship is forbidden due to breast-feeding.”^[1]

But it is not forbidden for his brothers who were not breast-fed by the woman who breast-fed him to marry the daughters of the breast-feeding woman. This is because she is not a mother to them, since she did not breast-feed them, only their brother. Nor is it forbidden for her sons to marry the sisters of the one who was breast-fed by her. This is because they are not her daughters, nor are they sisters to her sons, since there was no breast-feeding. And all that we have mentioned is clear from the words of the Prophet ﷺ:

«يَحْرُمُ مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

“That which is forbidden due to kinship is forbidden due to breast-feeding.”

And Allah is the Granter of success.

Ibn Baz

^[1] Al-Bukhari no. 2645 and Muslim no. 1444.

That Which is Forbidden Due to Kinship is Forbidden Due to Breast-feeding

Q I was breast-fed by a woman along with one of her sons, then her husband died. She completed the waiting period and married another man and bore him sons; are her sons from the other man brothers to me?

A If the situation is as described in the question, and you were breast-fed by her five times or more during the first two years of life, then her sons from the first husband are brothers to you from your mother and father through breast-feeding and her sons from the second husband are brothers to you from the mother only through breast-feeding, according to the Words of Allah, Most Glorified, when He mentioned those women whom it is forbidden to marry in *Surat An-Nisa'*:

﴿حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ﴾

“Forbidden to you (for marriage) are: your mothers,”^[1]

And after that, He says:

﴿وَأُمَّهَاتُكُمُ اللَّاتِي أَرْضَعْنَكُمْ وَأَخَوَاتُكُم مِّنَ الرَّضَاعَةِ﴾

“your foster mothers who suckled you, your foster milk suckling sisters,”^[2]

And according to the saying of the Prophet ﷺ:

«يَحْرُمُ مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

“That which is forbidden due to kinship is forbidden due to breast-feeding.”^[3]

Ibn Baz

[1] *An-Nisa'* 4:23.

[2] *An-Nisa'* 4:23.

[3] *Al-Bukhari* no. 2645 and *Muslim* no. 1444.

Q My wife and my brother's wife gave birth to children and each of them breast-fed the children of the other; so is it permissible for my brother's sons to marry my daughters and vice versa?

A The breast-feeding which causes prohibition is that which occurs five times or more during the first two years of life — this is what is proven by the legal evidences from the Book (of Allah) and the Sunnah. One breast-feeding is when the child takes the breast and sucks milk from it, then he leaves it to take a breath or to transfer (to the other breast) or some such reason. Then if he returns (to the breast), it is another breast-feeding, and so on. Based upon this, if any son of yours was breast-fed by your brother's wife in the manner described above, it is not permissible for him to marry your brother's daughters, because he will be a brother to them through breast-feeding. Allah, Most High has said:

﴿حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ﴾

"Forbidden to you (for marriage) are: your mothers,"^[1]

Up to His Words:

﴿وَأَخَوَاتُكُمْ مِنَ الرِّضَاعِ﴾

"your foster milk suckling sisters,"^[2]

The same is said of your brother's sons, regarding your daughters.

However, if the breast feeding occurred less than five times, or it occurred after the first two years of life, then this does not prevent marriage. And if any daughter of yours was breast-fed by your brother's wife in the manner described above, then it is not permissible for any of your brother's sons to marry her, because she is his sister through breast-feeding. Likewise, it is


^[1] *An-Nisa'* 4:23.


^[2] *An-Nisa'* 4:23.


not permissible for those of your brother's daughters who were breast-fed by your wife to marry any of your sons.

The Permanent Committee

Questions Regarding Breast-feeding

 There is a person who was breast-fed by a woman five times during the first two years of life and this woman's husband has another wife who has children; are the children of the second wife brothers and sisters to him?

 During the first two years of life, a baby girl was breast-fed many times by a woman along with one of her sons from her first husband. Then this woman married another man, and she had children by the second man. Are the woman's sons from the second man considered brothers to this baby girl who was breast-fed by the woman along with her sons from her first husband?

 When he was breast-fed by this woman in a manner which brings about prohibition — which is five times during the first two years — she became his mother and her husband became his father. And, the sons of the husband from the second wife became brothers to him from his father, and the sons of the breast-feeding woman from other than the husband are his brothers from his mother. And, her sisters are maternal aunts to him, and the husband's sisters are his paternal aunts. So whatever is forbidden due to kinship is forbidden due to breast-feeding.

This baby girl has become a daughter to this woman, so her sons from the husband will be brothers to this girl from her mother. Because she was breast-fed by their mother, and the children of the first woman's husband are brothers from the father, because she was breast-fed with the milk of (i.e. attributed to) their father.

Q A woman is asking, saying that her brother — who is two years younger than she — was breast-fed by the wife of her maternal uncle along with her son (her maternal uncle's wife's son). So is it permissible for her to uncover in front of her maternal uncle's sons? That is, not to wear a veil in front of them? And what is the ruling on her sisters, who are younger than her brother who was breast-fed by her maternal uncle's wife?

A If the above-mentioned breast-feeding is confirmed, and it was five breast-feedings or more during the first two years of the breast-fed child's life, then your brother has become a son to your maternal uncle through breast-feeding. He is also a son to the wife who suckled him through breast-feeding. And, their children have become brothers to him, and the brothers of your maternal uncle have become paternal uncles to him. His sisters have become paternal aunts to him, and the brothers of the woman who suckled him have become maternal uncles to him. Her sisters are maternal aunts to him, according to the saying of the Prophet ﷺ:

«يَحْرُمُ مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ»

"That which is forbidden due to kinship is forbidden due to breast-feeding."^[1]

As for you, there is no connection for you with the above-mentioned breast-feeding. It is not permissible for you or your sisters to unveil yourselves before your maternal uncle's sons because your uncle's wife has breast-fed your brother. This is because they are not *Mahrams* for you.

May Allah grant success to all in understanding the religion and keep us firm upon it.

Ibn Baz

^[1] Al-Bukhari no. 2645 and Muslim no. 1444.

She Claimed to Have Breast-fed, Then She Went Back on What She Had Said

Q I have an elder brother who went to propose to my paternal uncle's daughter. But her mother claimed that she had breast-fed him with her children. Then after some time, my uncle's wife came to propose to my sister on behalf of her son. So we inquired into the matter and we recalled what she had said. That is, her claim that my brother had been breast-fed with her children. She confirmed this, but (later) came back and said that she had never breast-fed my brother. Should we rely on her former words or the latter? And what is the view of the Islamic Law regarding this?

A The earlier claim of the above-mentioned women that she had breast-fed your brother does not prevent the marriage of her sons to your sisters, if she did not breast-feed them, and her sons were not breast-fed by your mother, and there was no other breast-feeding which would prohibit the marriage of her sons to your sisters.

As for your brother, there is no objection to him marrying one of her daughters, since she has belied herself regarding her earlier claim. But if he avoided marrying any of her daughters in order to be on the safe side, it would be better, according to the saying of the Prophet ﷺ:

«دَعْ مَا يَرِيكَ إِلَى مَا لَا يَرِيكَ»

"Leave what makes you doubt for what does not make you doubt."^[1]

And his ﷺ saying:

«فَمَنْ اتَّقَى الشُّبُهَاتِ اسْتَبْرَأَ لِدِينِهِ وَعِرْضِهِ»

"Whoever avoids the unclear matters has absolved his Religion

^[1] At-Tirmithi no. 2518 and An-Nasai' no. 5114.

and his honor from guilt.”^[1]

Ibn Baz

If He Was Breast-fed by a Man's Wife, His Daughters From the Other are Forbidden to Him

Q There is a man who has two daughters from two wives. I was breast-fed by one of his wives. Is it permissible for me to marry the other daughter?

A If you were breast-fed five times or more during the first two years of life by either of this man's two wives, it is not permissible for you to marry any of his daughters. It does not matter whether they are from this wife who suckled you, or from another, because you are a brother to them through breast-feeding. Allah, Most High has said:

﴿حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ﴾

“Forbidden to you (for marriage) are: your mothers,”^[2]

Up to His Words:

﴿وَأَخَوَاتُكُم مِّنَ الرَّضَاعَةِ﴾

“your foster milk suckling sisters,”^[3]

It must be noted that what constitutes one breast-feeding is that the child takes the breast and sucks milk from it, then leaves it in order to take breath or to transfer etc. Then if he returns (and sucks again), it is a second breast-feeding, and so on.

However, if the breast-feeding occurred less than five times, or it took place after the first two years of life, it is permissible for you to marry any of his daughters.

The Permanent Committee

^[1] Al-Bukhari no. 52 and Muslim no. 1599.

^[2] *An-Nisa'* 4:23.

^[3] *An-Nisa'* 4:23.

The Milk is Attributed to the Man

Q Allah has forbidden us to marry a sister through breast-feeding, but is the daughter forbidden to the son of the breast-feeding woman who was born before the daughter and is older than she? And if a man has two wives and another boy was fed by one of them, are the daughters of both wives forbidden to him? And how many times must the child be breast-fed in order for prohibition to occur?

A If a person is breast-fed by a woman in a manner which brings about prohibition, he is considered a son to her through breast-feeding and a brother to all of her children, male and female — whether they were already born when the breast-feeding took place, or they were born after he was suckled. This is based upon the generality of the Words of Allah, Most High:

﴿وَأَخَوَاتُكُمْ مِّنَ الرَّضَاعَةِ﴾

“your foster milk suckling sisters,”^[1]

If a person was breast-fed in a manner which results in prohibition by one of a man's two wives, then all of the children of that man are brothers and sisters through breast-feeding to that person who was suckled. It does not matter whether the breast-feeding was from one of his wives, or from both of them. This is because the milk is attributed to the father.

The breast-feeding which causes prohibition is that which occurs five times or more during the first two years of life. One breast-feeding is when the child sucks the breast and then leaves it — whether he drank all of the milk, or only sucked a little from it.

The Permanent Committee

^[1] *An-Nisa'* 4:23.

The Breast-feeding Which Causes Prohibition

Q I am a young man who was breast-fed along with my maternal uncle's eldest daughter. After her, other daughters were born, and she has now married. Is it permissible for me, or one of my brothers, to ask for the hand of one of her sisters in marriage?

A If you suckled from your maternal uncle's wife five times or more during the first two years of your life, then all of your uncle's daughters will be sisters to you, and you may not marry any of them.

But as for your brothers who were not breast-fed by your uncle's wife, there is no sin upon them in marrying your uncle's daughters, if your uncle's daughters were not breast-fed by your brothers' mother or by your father's wife, or your sisters. In short, there is no sin upon your brothers in marrying your uncle's daughters, as long as there is no breast-feeding between them that would prevent it.

As for your suckling from your uncle's wife, it is exclusive to you and it does not necessitate the prohibition of your uncle's daughters to your brothers.

And Allah is the Granter of success.

Ibn Baz

His Wife Was Breast-fed by His Father's Wife

Q I contracted the marriage of my daughter to my brother's son. Then after the marriage contract was made, we were assured by the wife of the married boy's father that she had breast-fed the married girl for five days. It is certain and most correct that it took place four days in succession, bearing in mind that the breast-feeding woman is not the married boy's mother, she is his father's wife. So is the girl permissible for this boy?



If the girl who is contracted to marry him was breast-fed by his father's wife, from his milk (i.e. the milk which is attributed to him), and the breast-feeding took place five times during the first two years of life, then this girl will be a sister to him through breast-feeding. Therefore, it is not permissible for him to marry her, according to the Words of Allah, Most High:

﴿حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ﴾

"Forbidden to you (for marriage) are: your mothers,"^[1]

Up to His Words:

﴿وَأَخَوَاتُكُمْ مِنَ الرِّضَاعَةِ﴾

"your foster milk suckling sisters,"^[2]

And according to the words of 'A'ishah, may Allah be pleased with her, who said: "It was revealed in the Qur'an that ten known breast-feedings caused prohibition, then it was abrogated by five known breast-feedings. Then the Prophet ﷺ died and the matter remained thus." Narrated by Muslim.

And the Words of Allah, Most High:

﴿وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَدَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُتِمَّ الرِّضَاعَةَ﴾

"The mothers should suckle their children for two whole years, (that is) for those (parents) who desire to complete the term of suckling,"^[3]

And the saying of the Prophet ﷺ:

﴿لَا يُحَرِّمُ مِنَ الرِّضَاعَةِ إِلَّا مَا فَتَقَ الْأَمْعَاءَ فِي الْبُطْنِ وَكَانَ قَبْلَ الْفِطَامِ﴾

"Nothing is forbidden due to breast-feeding except that which reaches the intestines and occurs before weaning."^[4]

[1] An-Nisa' 4:23.

[2] An-Nisa' 4:23.

[3] Al-Baqarah 2:233.

[4] At-Tirmithi no. 1152.

At-Tirmizi said that it is *Hasan-Sahih*.

Breast-feeding is when the child sucks milk from the breast, then he leaves it in order to take breath or to transfer to the other breast etc. This is one breast-feeding, and if he returns to it, even soon afterwards, then that is two breast-feedings, and so on.

May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Wife of Your Brother Through Breast-feeding is Not One of Your *Mahrams*

Q Is it permissible for me to give salutations of peace to my maternal uncle's wife (my mother's brother), while I was breast-fed along with my maternal uncle by my grandmother? Or is it forbidden because she is not a *Mahram* for me?

A It is not permissible for your maternal uncle's wife to touch your hand — whether or not it is confirmed that you were breast-fed by your grandmother. This is because you are unrelated, i.e. you are not a *Mahram* to her. But as for giving salutations of peace according to the Sunnah, which is by speech, that is permissible; 'A'ishah, may Allah be pleased with her said, in explanation of the Verse of pledging allegiance to the Messenger ﷺ for women: "By Allah, no woman's hand ever touched his hand during the pledge of allegiance; he did not take the pledge from them except by saying: 'I accept your pledge to this.'" Narrated by Al-Bukhari.

It is reported on the authority of Umaymah Bint Ruqayyah, may Allah be pleased with her, that she said: "I came to the Messenger of Allah ﷺ with some women to make the pledge of allegiance to him and we said: "O Messenger of Allah! Will you not shake hands with us?" He replied:

«إِنَّ لَا أَصَافِحُ النِّسَاءَ، إِنَّمَا قَوْلِي لِمِائَةٍ امْرَأَةٍ كَقَوْلِي لِامْرَأَةٍ وَاحِدَةٍ»

“Verily, I do not shake hands with women. My saying to one woman is the same as my saying to a hundred women.”^[1]

Narrated by Ahmad with an authentic chain of narrators.

The Permanent Committee

The Sisters of Your Brother Through Breast-feeding Are Not Forbidden to You

Q I have a cousin who breast-fed with me when I was small child for a period of ten days or more. He has two full sisters younger than he; is it permissible for me to marry the youngest of them?

A If the matter is as stated, then it is permissible for you to marry one of the sisters of your aforementioned cousin, as long as there is no breast-feeding between you and those from whom you wish to marry which would prohibit it. The fact that he was suckled by your mother does not effect your marriage to any of his sisters, whether that suckling was a little or a lot.

And Allah is the Granter of success. May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

My Mother Through Breast-feeding Claimed That She Had Breast-fed my Wife

Q I married my paternal uncle’s daughter last year. My problem regarding her is that my mother through breast-feeding, who suckled me with her eldest son, testified that she had breast-fed my wife with her son as well.

^[1] At-Tirmithi no. 1597, An-Nasai’ 4186 and Ahmad 6/357.

However, she did not define for us the manner of the breast-feeding, nor the number of times it occurred. What should I do in these circumstances?

A Your wife is not forbidden to you until the above-mentioned woman who suckled you testifies that she breast-fed her five times or more during the first two years of life. In addition to this, her trustworthiness must be ascertained. And we advise you to take her to His Eminence, the Judge of the town in which you live, so that he may ask her about her testimony, and so that the necessary measures may be completed in the matter. May Allah grant success to us all.

Ibn Baz

Regarding Breast-feeding in Which There Exists Doubt

Q I submitted a proposal of marriage to a girl four months ago and the *Qiran* contract was made. But I have not consummated the marriage with her according to the Islamic Law. And this year one of my sisters informed me that she had breast-fed this girl, but she did not remember how many times it had occurred, due to the fact that a long time — approximately twenty years — has passed. So is it permissible for me to marry this girl?

A The marriage contract completed with this woman is correct and it is not invalidated except by clear, positive proof.

Breast-feeding in which there exists doubt or whose number is uncertain has no effect, according to the words of ‘A’ishah, may Allah be pleased with her, who said: “It was revealed in the Qur’ān that ten known breast-feedings caused prohibition, then it was abrogated by five known breast-feedings.”

The description of the breast-feedings as being “five known breast-feedings” is a proof that it must be known that the

breast-feeding took place, and it must also be known how many times it occurred.

If the woman who breast-fed is unsure whether or not she completed five or not, then there is no effect from this suckling, therefore, your sister's statement results in no harm upon the marriage you made with this woman.

Ibn 'Uthaimin

The Book of Criminal Offences

Intentional Killing

He Killed Someone Intentionally and He Wants to Repent

Q I took part in a crime of murder, and I was not apprehended for the sentence of the crime (to be carried out upon me). Now I want to atone for my sin; will Allah accept my repentance without giving myself up to the police?



Intentional killing — if the victim is a believer — is a major sin; Allah, Most High says:

﴿وَمَنْ يَقْتُلْ مُؤْمِنًا مُتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ خَالِدًا فِيهَا وَعَذِيبُ اللَّهِ عَلَيْهِ وَلَعْنُهُ وَأَعَدَّ لَهُ عَذَابًا عَظِيمًا﴾
﴿٩٣﴾

“And whoever kills a believer intentionally, his recompense is Hell to abide therein; and the Wrath and the Curse of Allāh are upon him, and a great punishment is prepared for him.”^[1]

It is reported in the *Hadith* from the Prophet ﷺ that he said:

«وَلَا يَزَالُ الْمَرْءُ فِي فُسْحَةٍ مِنْ دِينِهِ مَا لَمْ يُصِبْ دَمًا حَرَامًا»

“A person remains in a state of liberty regarding his religion, as long as he does not kill someone illegally.”^[2]

So if you deliberately killed a believer, there are three rights connected to your murder:

^[1] *An-Nisa'* 4:93.

^[2] *Al-Bukhari* no. 6862 and *Al-Hakim* in *Mustadarak* no. 8029.

1. The right of Allah, the Almighty, the All-Powerful,
2. the right of the murdered victim,
3. the right of the relatives of the murdered victim.

As for the right of Allah, Most Glorified, Most High, if you turn to your Lord in sincere repentance, then Allah, Most High will accept it from you. This is based upon His saying:

﴿قُلْ يَعْبادِيَ الَّذِينَ أَسْرَفُوا عَلَىٰ أَنْفُسِهِمْ لَا تَقْنَطُوا مِنْ رَحْمَةِ اللَّهِ إِنَّ اللَّهَ يَغْفِرُ
الدُّنُوبَ جَمِيعاً إِنَّهُ هُوَ الْغَفُورُ الرَّحِيمُ﴾

“Say: ‘O ‘Ibādī (My slaves) who have transgressed against themselves (by committing evil deeds and sins)! Despair not of the Mercy of Allāh, verily, Allāh forgives all sins. Truly, He is Oft-Forgiving, Most Merciful.’”^[1]

As for the right of the murdered victim, he (I mean the murdered victim) is not living, that you might face him. So his affair will remain outstanding until the Day of Resurrection. Meaning the requital from you to the murdered victim will occur on the Day of Resurrection. But I hope that if your repentance is correct and it is accepted by Allah, that Allah, Most Glorified, Most High will make this murdered victim happy with what He gives him from His Bounty, and that you will not be indebted to him.

Regarding the family of the murdered victim — and that is the third right — your freedom from him will not be complete until you give yourself up to them. Therefore, it is incumbent upon you to give yourself up to the family of the murdered victim and say to them that it was you who killed him, then the choice is theirs: If they wish, they may accept the (legal) recompense from you, as long as the conditions of recompense have been fulfilled. And if they wish, they may take the *Diyah* (from you) and if they wish, they may pardon you for nothing.

Ibn ‘Uthaimin

^[1] Az-Zumar 39:53.

Whoever Killed a Muslim Intentionally

Q Allah, Most High says:

﴿وَمَنْ يَقْتُلْ مُؤْمِنًا مُتَعَمِّدًا فَجَزَاؤُهُ جَهَنَّمُ﴾

“And whoever kills a believer intentionally, his recompense is Hell.”^[1]

Allah has mentioned one who intentionally kills a believer and He has not mentioned one who intentionally kills a Muslim. So if a person kills a Muslim, is his recompense the Hell-fire or not?



Yes, whoever kills a Muslim, his recompense is the Hell-fire. Because if what is inside the murdered person is consistent with his outward manner and appearance, he is also a believer. So the one who kills him is deserving of the threat of punishment in the Hereafter, according to the wording of the Verse. And if what is inside him contradicts his outward manner and appearance, we are obliged to treat him according to what is necessitated by his outward behavior. It is not for us to delve into what is inside him.

Based upon this, his blood is sacred and it is not permissible to violate it. And, according to what was confirmed on the authority of Abu Hurairah, may Allah be pleased with him, the Prophet ﷺ said:

«أُمِرْتُ أَنْ أَقَاتِلَ النَّاسَ حَتَّى يَشْهَدُوا أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ، وَيُقِيمُوا الصَّلَاةَ، وَيُؤْتُوا الزَّكَاةَ فَإِذَا فَعَلُوا ذَلِكَ، عَصَمُوا مِنِّي دِمَائِهِمْ وَأَمْوَالَهُمْ إِلَّا بِحَقِّ الْإِسْلَامِ وَحِسَابُهُمْ عَلَى اللَّهِ»

“I was ordered to fight the people until they testify that none is worthy of worship except Allah and that I am the Messenger of Allah, so if they say it, their blood and their property are inviolable to me, except when justified by law, and their reckoning rests with Allah.”^[2]

^[1] An-Nisa' 4:93.

^[2] Al-Bukhari no. 25 and Muslim no. 22.

Narrated by Al-Bukhari and Muslim and the compilers of the *Sunan*.

It was confirmed on the authority of Usamah bin Zaid, may Allah be pleased with him, that he said: "The Messenger of Allah sent us on a raiding party to Al-Hurqah. We encountered the people in the morning and we attacked them. I and a man from the *Ansar* caught a man, and when we overcame him, he said: 'None has the right to be worshipped except Allah!' — and the Ansari man desisted, but I pierced him with my spear until I had killed him." Then when we returned, the Prophet ﷺ was informed of it and he said:

«يَا أُسَامَةُ! أَقَتَلْتَهُ بَعْدَ مَا قَالَ لَا إِلَهَ إِلَّا اللَّهُ؟»

"O Usamah! Did you kill him after he had said: "La Ilaha Illallah?"^[1]

Usamah, may Allah be pleased with him, said: "He was seeking refuge with Allah and he kept repeating it until I wished that I had not embraced Islam before that day." (Agreed upon)

So the Prophet ﷺ paid no regard to what Usamah, may Allah be pleased with him, thought about the man he had killed. That is, him thinking that the man's faith was not sincere. The Prophet ﷺ censured him to such a degree that it affected Usamah, may Allah be pleased with him, so much so that he said: "I wished that I had not embraced Islam before that day."

This proves that the rulings in the life of this world should be in accordance with appearances, and that whoever intentionally killed a Muslim is a sinner, guilty of a major sin, deserving the punishment of the Hell-fire. This is so, unless his killing is confirmed as being permissible due to one of the three causes which the Prophet ﷺ mentioned in his saying:

«لَا يَجِلُّ دَمُ امْرِئٍ مُسْلِمٍ يَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَنِّي رَسُولُ اللَّهِ إِلَّا بِأَحَدٍ

[1] Al-Bukhari no. 4269 and Muslim no. 96.

ثَلَاثٌ: الثَّيْبُ الزَّانِ، وَالنَّفْسُ بِالنَّفْسِ، وَالتَّارِكُ لِدِينِهِ الْمُفَارِقُ لِلْجَمَاعَةِ»

"It is not permissible to kill a Muslim except for one of three reasons: A life for a life, the non-virgin woman who commits an act of illegal sexual intercourse, and the one who abandons his religion (i.e. Islam) and forsakes the Jama'ah."^[1]

The Permanent Committee

The Punishment For Murder by Deception (*Al-Ghilah*)

All praise and thanks be to Allah and may peace and blessings be upon him after whom there is no Prophet. As for what follows:

In accordance with the decision made during the sixth session of the Board of Senior Scholars that the Permanent Committee for Scientific Researches and Religious Verdicts prepare a study on *Al-Ghilah*, the Committee prepared and it was included in the agenda of work in the Organization's seventh session which was held in Ta'if from the 2nd of Rajab 1395 A. H. until the 11th of Rajab 1395 A. H.

The study was presented to the Board and after it was read by the Conference and they had discussed the views of the scholars regarding the meaning of *Al-Ghilah* in language and in jurisprudence, and what has been said by the schools of jurisprudence and the evidences and the discussion regarding the punishment of one who kills by deception: Is it *Al-Qisas* (retaliation: any eye for an eye etc.) or is it *Al-Hadd* (execution)? Views were exchanged. And because the scholars have said that killing by *Al-Ghilah* is that which is committed intentionally by way of subterfuge and deception, or due to the victim feeling safe from the deception of the murderer, whether it was (committed) for money or violation of honor or fear of disgrace,

^[1] Al-Bukhari no. 6878 and Muslim no. 1676.

or his secrets being revealed or the like. Such as when a man deceives a person so that he trusts him, and then he takes him to a place where no one can see him and kills him. Or, he takes a man's money by force, then kills him out of fear that he will seek the return of what he took from him, or such as when he kills him in order to take his wife or his daughter, or such as when the wife kills her husband in his bedroom, or while he is sleeping, in order to be free from him, or vice versa and such like.

For this reason the Conference decided unanimously — except for Shaikh Salih bin Ghusun — that one who murders by *Al-Ghilah* should be executed as a punishment, not in retaliation. Therefore, it is not accepted, nor is it correct for anyone to pardon him. And the basic principle for this is the Qur'ān and the Sunnah and the narrations from the Companions, may Allah be pleased with them, and the meaning (of *Al-Ghilah*).

As for the Book of Allah, (the evidence therein) is the Saying of Allah, Most High:

﴿إِنَّمَا جَزَاءُ الَّذِينَ يُحَارِبُونَ اللَّهَ وَرَسُولَهُ وَيَسْعَوْنَ فِي الْأَرْضِ فَسَادًا أَنْ يُقَتَّلُوا﴾

"The recompense of those who wage war against Allāh and His Messenger (ﷺ) and do mischief in the land is only that they shall be killed"^[1]

And killing by *Al-Ghilah* is a form of waging war, so he should be killed as a punishment, not as a retaliation.

As for the Sunnah, (the evidence) is what was confirmed in the Two *Sahihs* from the Prophet (ﷺ), that a Jew crushed the head of his slave-girl between two rocks for some silver ornaments or jewelry which she owned. He was seized and he admitted it, so the Messenger of Allah (ﷺ) ordered that his head be crushed between two rocks. So he (ﷺ) ordered that the Jew be killed, and he did not refer the matter to the family of the slave-girl; and if

^[1] *Al-Ma'idah* 5:33.

the killing had been *Qisas* (retaliation), he would have referred the matter to them, because they are the ones with the right. So it proves that he was killed as a punishment, not as retaliation.

As for the narrations from the Companions, may Allah be pleased with them, (the evidence is) what was confirmed from 'Umar bin Al-Khattab, may Allah be pleased with him, that he killed five or seven persons for the killing of one man whom they killed by *Al-Ghilah* and he said: "If all of the people of San'a' took part in it, I would kill them all."

So this is the ruling of the Caliph on killing by *Al-Ghilah* and we do not know of any narration which proves that he referred the matter to the relatives, and if it was their right, he would have referred the matter to them. So he was killed as a punishment, not as a retaliation.

As for the meaning, killing by *Al-Ghilah* is Allah's right and every right is connected to the right of Allah, Most High - so there is no pardon therein for anyone. It is like *Zakah* or other things. And, because it is impossible to control it, like killing intentionally.

And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Board of Senior Scholars

Director of the Seventh Session

'Abdullah bin Muhammad bin Humaid

'Abdullah Khayyat	—	'Abdul-'Aziz bin 'Abdullah bin Baz
'Abdul-Majid Hasan	—	Ibrahim bin Muhammad Al Ash-Shaikh
Sulaiman bin 'Ubaid	—	'Abdul-'Aziz bin Salih
'Abdullah bin Ghadyan	—	Rashid bin Khanin
Salih bin Lihaidan	—	'Abdullah bin Mani'
'Abdur-Razzaq 'Afifi	—	Muhammad Al-Harakan
Muhammad bin Jubair	—	Salih bin Ghusoon (He has his own view)

The Father is Not Killed For Killing His Son

Q Is a father killed if he kills his son? We have heard from some of the scholars of *Fiqh* that he is not killed if he kills his son, but that he must pay the *Diyah*.

A The majority of scholars do not hold the view that the father should be killed for killing his son if he killed him intentionally. As proof, they cited evidence and argument. As for the evidence, it is the well known *Hadith*:

«لَا يُقْتَلُ الْوَالِدُ بِالْوَلَدِ»

“A father is not killed for (killing) his son.”^[1]

As for the argument, they said that the father is the cause for the existence of the son. So it is not fitting that the son should be the cause of his (i.e. the father's) execution. This is the view of the majority of scholars, i.e. that the father should not be executed for killing his son.

Some of the scholars held the view that the father is killed for the murder of his son, if we knew for sure that he had killed him intentionally. They based this view on the generality of the evidences which prove the obligation of *Al-Qisas* in the taking of a life, such as the Words of Allah, Most High:

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا كُتِبَ عَلَيْكُمُ الْقِصَاصُ فِي الْقَتْلِ أَلْحُرُّ بِالْحُرِّ وَالْعَبْدُ بِالْعَبْدِ وَالْأُنْثَىٰ بِالْأُنْثَىٰ﴾

“O you who believe! *Al-Qisās* (the Law of Equality in punishment) is prescribed for you in case of murder: the free for the free, the slave for the slave, and the female for the female.”^[2]

And such as the Words of Him, Most High:

﴿وَكُتِبْنَا عَلَيْهِمْ فِيهَا أَنَّ النَّفْسَ بِالنَّفْسِ وَالْعَيْنَ بِالْعَيْنِ﴾

[1] At-Tirmithi no. 1401 and Ibn Majah no. 2662.

[2] *Al-Baqarah* 2:178.

“And We ordained therein for them: Life for life, eye for eye,”^[1]

And other similar texts, such as the words of the Prophet ﷺ:

«لَا يَحِلُّ دَمُ امْرِئٍ مُسْلِمٍ يَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَنِّي رَسُولُ اللَّهِ إِلَّا بِأَحَدٍ ثَلَاثٍ: النَّفْسُ بِالنَّفْسِ، وَالثَّيْبُ الرَّانِي، وَالْمُفَارِقُ لِدِينِهِ التَّارِكُ لِلْجَمَاعَةِ»

“It is not permissible to shed the blood of a Muslim man who testifies that none is worthy of worship except Allah and that I am the Messenger of Allah, except for one of three reasons: A life for a life, the non-virgin woman who commits an act of illegal sexual intercourse and the one who abandons his religion (i.e. Islam) and forsakes the Jama’ah.”^[2]

And, his ﷺ saying:

«الْمُؤْمِنُونَ تَكَافَأُوا دِمَاؤُهُمْ وَهُمْ عَلَىٰ مَن سِوَاهُمْ وَيَسْعَىٰ بِذِمَّتِهِمْ أَذْنَاهُمْ»

“The blood of the believers is equal, and the lowliest of them should strive to protect them.”^[3]

They said that these generalities necessitate that if it is known that the father intended to kill his son, he should be killed for it.

As for the well known *Hadith*:

«لَا يُقْتَلُ الْوَالِدُ بِالْوَلَدِ»

“A father is not killed for (killing) his son.”^[4]

They consider it to be weak. As for the argument, it is not correct, because the execution of a father for killing his son is not caused by the son, it is caused by the father, because it is he who brings the punishment upon himself in fact, as it is he who causes himself to be executed by taking a life which is forbidden. They said: We might turn this evidence around and say: A

[1] *Al-Ma'idah* 5:45.

[2] *Al-Bukhari* no. 6878 and *Muslim* no. 1676.

[3] *Abu Dawud* no. 4530 and *An-Nasai* no. 4738.

[4] *At-Tirmithi* no. 1401 and *Ibn Majah* no. 2662.

father killing his son is one of the greatest breaches of family relations and the most hated of murders, since even a father does not venture to kill his son even in the world of base animals, the animal will lift its hoof over its child, fearful of hurting it. So how could the reward of this man who breaks off family ties by killing his son be that we lift the punishment of execution from him?

At any rate, this matter should be referred to the Islamic Law Courts in order that the Judge may rule according to what he considers to be most correct from among the sayings of the scholars. An individual should refer to his Lord, the Almighty, the All-Powerful in cases of conflicting evidences or opinions which require guidance to the Straight Path, saying: "O Allah! The Lord of Jibra'il, Mika'il and Israfil, the Creator of the heavens and the earth, Knower of the unseen and that which is seen. You judge between Your creatures about that wherein they differed. Guide me to the truth by Your Leave in those matters in which there is differing. For You guide whom You will to the Straight Path."

Then he should seek forgiveness from Allah, the Almighty, the All-Powerful for his sins, because sins come between a person and his arriving at the truth. And some of the scholars have derived this from the Words of Allah, Most High:

﴿إِنَّا أَرْزَلْنَا إِلَيْكَ الْكِتَابَ بِالْحَقِّ لِتَحْكُمَ بَيْنَ النَّاسِ بِمَا أَرَاكَ اللَّهُ وَلَا تَكُنْ لِلْخَائِنِينَ خَصِيمًا ۝١٥۞ وَاسْتَغْفِرِ اللَّهَ ۚ إِنَّ اللَّهَ كَانَ غَفُورًا رَحِيمًا ۝١٦۞﴾

"Surely, We have sent down to you (O Muhammad ﷺ) the Book (this Qur'ān) in truth that you might judge between men by that which Allāh has shown you (i.e. has taught you through Divine Revelation), so be not a pleader for the treacherous. And seek the forgiveness of Allāh, certainly, Allāh is Ever Oft-Forgiving, Most Merciful."^[1]

Ibn 'Uthaimin

^[1] An-Nisa' 4:105-106.

Accidental Killing

The Punishment For Accidental Killing

Q A man is asking, saying that it happened that he hit a Turkish woman with his car in Makkah and she died. He paid her *Diyah* to the Treasury, then during his return journey to the place where he works, his car overturned at the turning for Al-Ahsa' and his wife died. So he is asking what is incumbent upon him regarding the right of Allah in this?

A It is incumbent upon the questioner regarding the knocking down of the Turkish woman in Makkah and her death as a result of that, to atone for killing her by freeing a believing slave; if he does not find one, then he must fast for two consecutive months, according to the Words of Allah, Most High:

﴿وَمَنْ قَتَلَ مُؤْمِنًا خَطَاً فَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ وَدِيَةٌ مُسَلَّمَةٌ إِلَىٰ أَهْلِهِ إِلَّا أَنْ يَصَدَّقُوا فَإِنْ كَانِ مِنْ قَوْمٍ عَدُوٍّ لَكُمْ وَهُوَ مُؤْمِنٌ فَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ وَإِنْ كَانَ مِنْ قَوْمٍ بَيْنَكُمْ وَبَيْنَهُمْ مِيثَاقٌ فَدِيَةٌ مُسَلَّمَةٌ إِلَىٰ أَهْلِهِ وَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامُ شَهْرَيْنِ مُتَتَابِعَيْنِ تَوْبَةً مِّنَ اللَّهِ وَكَانَ اللَّهُ عَلِيمًا حَكِيمًا﴾

“and whosoever kills a believer by mistake, (it is ordained that) he must set free a believing slave and a compensation (blood money, i.e. Diya) be given to the deceased’s family unless they remit it. If the deceased belonged to a people at war with you and he was a believer, the freeing of a believing slave (is prescribed); and if he belonged to a people with whom you have a treaty of mutual alliance, compensation (blood money — Diya) must be paid to his family, and a believing slave must be freed. And whoso finds this (the penance of freeing a slave) beyond his means, he must fast for two consecutive months in order to seek repentance from Allāh.

And Allāh is Ever All-Knowing, All-Wise."^[1]

As for the death of the questioner's wife as a result of his car turning over while he was driving, if he was negligent in his driving, or he contributed in anyway to the accident, including a driving violation, speeding, drowsiness or the like, or negligent regarding the vehicle or something essential which caused it to be unsafe, then he must atone for the death by freeing a believing slave, or if he does not find one, by fasting for two consecutive months in repentance to Allah.

However, if he was not the cause of the accident in any way, then there is nothing incumbent upon him regarding the death of his wife.

May peace and the blessings of Allah be upon our Prophet and upon his family and Companions.

The Permanent Committee

There is no Atonement Incumbent Upon Him

Q My father was involved in a collision with another car while he was driving. The driver of the other car died (may Allah have mercy on him). The Traffic Police determined that the fault was entirely that of the deceased and the family of the dead man waived (the right to the payment of) the *Diyah* — may Allah reward them with goodness. Now I am asking: Is it incumbent upon my father to atone by fasting two consecutive months or not?

A If the matter is as you have described, then there is no atonement incumbent upon your father. That is because the fault was that of another, therefore he is not called a killer. And Allah is the Granter of success.

Ibn Baz

^[1] *An-Nisa'* 4:92.

The Cause of the Accident Must be Ascertained

Q In a road traffic accident, my car overturned and my father, who was riding with me was killed; and one brother advised me that I must fast for two consecutive months or free a slave. Is this correct?

A The cause of the accident must be looked into, and if it was due to recklessness or negligence on the part of the driver, then he is responsible for causing the accident and he must make atonement if anyone died.

However, if the accident was not due to recklessness or negligence, then there is nothing incumbent upon him — neither indemnity, nor atonement. For example, if the accident occurred due to a burst tire, by Allah's Ordainment and Decree, or, such as the car turning over while swerving around a hazard.

The important thing is to ascertain who caused the accident. If it was due to negligence or recklessness on the part of the driver, then he must pay indemnity and atone for it. But if it was not due to negligence or recklessness, there is nothing incumbent upon him. The requirement for the atonement of a killing is to free a slave, and if one is not found, he must fast for two consecutive months — and there is no difference between a father and another — all of them are believing souls.

Ibn 'Uthaimin

He Caused the Deaths of Two Persons

Q We were involved in an accident with another car which resulted in the death of two people. According to the Traffic Police, I was 35% to blame for the accident and the (other) driver was 65% to blame. The family of one of those who died waived their rights upon us, while the second family required us to pay the *Diyah*. It was paid and the Judge ruled that we must fast for two consecutive months as

atonement for it. But I asked one of the scholars about it and he informed me that I must fast for four months. I request you to advise me what I should really do. And must the fast which I have to perform be consecutive or otherwise? And is the percentage to which I was to blame relevant to the fasting or not?

A If the circumstances are as described, that you were partly responsible for causing the deaths of two persons, then you must make the atonement for an accidental killing for each of them. That is to free a believing slave; if you do not find one, then you must fast two consecutive months and nothing less than this will be sufficient for you, according to the Words of Allah, Most High:

﴿وَمَا كَانَ لِلْمُؤْمِنِ أَنْ يَقْتُلَ مُؤْمِنًا إِلَّا خَطَاً وَمَنْ قَتَلَ مُؤْمِنًا خَطَاً فَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ﴾

"It is not for a believer to kill a believer except (that it be) by mistake; and whosoever kills a believer by mistake, (it is ordained that) he must set free a believing slave"^[1]

Up to the Words of Him, Most Glorified:

﴿فَمَنْ لَمْ يَجِدْ فَصِيَامُ شَهْرَيْنِ مُتَتَابِعَيْنِ تَوْبَةً مِنْ اللَّهِ وَكَانَ اللَّهُ عَلِيمًا حَكِيمًا﴾

And whoso finds this (the penance of freeing a slave) beyond his means, he must fast for two consecutive months in order to seek repentance from Allāh. And Allāh is Ever All-Knowing, All-Wise."^[2]

And the share of others in causing the deaths has no effect upon the obligation of each person being responsible to atone in full.

There is no objection to you taking a break after fasting the two


^[1] An-Nisa' 4:92.


^[2] An-Nisa' 4:92.

consecutive months as one atonement, then to begin the two month fast as atonement for the other.

The Permanent Committee

He Dug a Well and a Child Fell in it

 About eight years ago or more, I made a storage tank for water to benefit those in the house as well as others. The people in the house, as well as others used it throughout this time. Due to Allah's Ordainment and His Decree a five year old daughter of ours was drinking from it as usual, because she always used to take water from it for her family at all times. Due to Allah's Ordainment and His Decree, on the 17th of Dhul-Hijjah, 1401 A. H., she went to take water from it as was her custom and she fell in this tank and died, going to the Mercy of Allah, the Almighty, the All-Powerful. For this reason, I am seeking a verdict from Your Eminence regarding my case: Am I obliged to do anything with regard to her, because I was the cause of the tank being dug and built? And (I am asking) what is incumbent upon me as a consequence, due to my fear of Allah, the Most High, the Most Great. Deliver a legal verdict for me regarding my case, and may Allah reward you.

 If the matter regarding your circumstances and those of the girl is as you have stated, then there is no *Diyah* payment upon you and no atonement. The fact that you dug the well is not considered a cause of sin for which you would have to make any kind of recompense for.

May peace and the blessings of Allah be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

Is There Any Atonement Incumbent Upon Me For This Accident?

Q Allah, Most Glorified, Most High decreed for me an accident in which my car overturned when I was driving. My family was with me in the car, and my wife died as a result of the car being overturned, and I suffered compound fractures. I request you to deliver a legal verdict for me: Is there any atonement incumbent upon me, such as fasting or charity or anything else, due to the death of my wife in this accident?

A If you were not negligent in your driving or in anything required by your car, and the accident happened while the condition of your car was normal, and you were driving normally, then there is nothing incumbent upon you, since it is not confirmed that you did anything to cause the accident.

However, if it happened because of one of the things we have mentioned, then you must make atonement. That atonement is to free a believing slave; and if you do not find one, then you must fast for two consecutive months, according to the Words of Allah, Most High:

﴿وَمَا كَانَ لِلْمُؤْمِنِ أَنْ يَقْتُلَ مُؤْمِنًا إِلَّا خَطَاً وَمَنْ قَتَلَ مُؤْمِنًا خَطَاً فَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ وَدِيَةٌ مُسَلَّمَةٌ إِلَىٰ أَهْلِهِ إِلَّا أَنْ يَصَدَّقُوا فَإِنْ كَانَ مِنَ قَوْمٍ عَدُوٍّ لَكُمْ وَهُوَ مُؤْمِنٌ فَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ وَإِنْ كَانَ مِنَ قَوْمٍ بَيْنَكُمْ وَبَيْنَهُم مِّيثَاقٌ فَدِيَةٌ مُسَلَّمَةٌ إِلَىٰ أَهْلِهِ وَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامٌ شَهْرَيْنِ مُتَتَابِعَيْنِ تَوْبَةً مِّنَ اللَّهِ وَكَانَ اللَّهُ عَلِيمًا حَكِيمًا﴾

"It is not for a believer to kill a believer except (that it be) by mistake; and whosoever kills a believer by mistake, (it is ordained that) he must set free a believing slave and a compensation (blood money, i.e. Diya) be given to the deceased's family unless they remit it. If the deceased belonged to a people at war with you and he was a believer, the freeing of a believing slave (is prescribed);

and if he belonged to a people with whom you have a treaty of mutual alliance, compensation (blood money — Diya) must be paid to his family, and a believing slave must be freed. And whoso finds this (the penance of freeing a slave) beyond his means, he must fast for two consecutive months in order to seek repentance from Allāh. And Allāh is Ever All-Knowing, All-Wise.^[1]

It is not sufficient to feed (the poor) for it.

Allah is the Granter of success. And may peace and blessings be upon Muhammad and upon his family and the Companions.

Ibn Baz

He Killed His Daughter Unintentionally

Q An accident happened to me by Allah's Ordainment and Decree and it occurred as follows:

When I was returning from work, I went to thresh the crops. My car moved, and my daughter who was three years of age was run over and died, while I did not know that she was behind the car. I request Your Eminence to kindly deliver a legal verdict for me regarding what ransom is required of me according to the Islamic Law, bearing in mind that I am a farmer who works all day long and fasting is difficult for me.

A If the matter is as you have stated, then your killing her was a mistake due to you being neglectful of the area around your car. You must pay the *Diyah* to her heirs, unless they waive it. And you do not inherit from her. You must also make atonement for an accidental death, which is to free a believing slave, or if you do not find one, then to fast for two consecutive months. And it is not sufficient to feed the poor instead of that, or to pay money, because Allah did not mention anything besides freeing a slave and fasting for the atonement of killing by mistake. And your Lord is not forgetful; Allah, Most

^[1] *An-Nisa'* 4:92.

High says:

﴿وَمَنْ قَتَلَ مُؤْمِنًا خَطَاً فَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ وَدِيَةٌ مُسَلَّمَةٌ إِلَىٰ أَهْلِهِ إِلَّا أَنْ يَصَدَّقُوا﴾

“and whosoever kills a believer by mistake, (it is ordained that) he must set free a believing slave and a compensation (blood money, i.e. Diya) be given to the deceased’s family unless they remit it.”^[1]

Up to His Words:

﴿فَمَنْ لَمْ يَجِدْ فَصِيَامَ شَهْرَيْنِ مُتَابِعَيْنِ تَوْبَةً مِّنَ اللَّهِ وَكَانَ اللَّهُ عَلِيمًا حَكِيمًا﴾

“And whoso finds this (the penance of freeing a slave) beyond his means, he must fast for two consecutive months in order to seek repentance from Allāh. And Allāh is Ever All-Knowing, All-Wise.”^[2]

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

If Two or More Shared in the Responsibility For an Accidental Death

Q A traffic accident occurred involving two cars. In one car, there were two persons, one of whom died. According to the report of the Police and Traffic Dept., the owner of the first car was 30% to blame and the owner of the other car was 70% to blame. So regarding the atonement, should the owner of the first car fast for two consecutive months, or in accordance with the percentage of blame attached to him, as is the case with the *Diyah*?

^[1] *An-Nisa’* 4:92.

^[2] *An-Nisa’* 4:92.

A If two or more persons share in the responsibility for an accidental death, then each of them must perform the atonement independently. This is because atonement is not divided up, according to what the scholars have said.

Ibn Baz

The Atonement For Accidental Killing

Q I was driving in my car and suddenly a man came out crossing the road in front of me, and I was unable to avoid hitting him because he took me by surprise and the car was moving. Thus it happened that he was run over, as a result of which, he died immediately, even though my speed was normal, not excessive, but he committed a violation. For this reason, the Traffic Police reported that he was 50% to blame for the accident — and there is no power and no strength except from Allah. Bearing in mind that it has been judged upon me by settlement that his share of the blame was 70% and what remains for me is the atonement, I am requesting a legal verdict. And may peace, mercy and blessings of Allah be upon you.

A If the situation is as described, then you must make atonement for accidental killing, which is to free a believing slave. If you do not find one, then you must fast for two consecutive months. It is not sufficient for you to do anything else, according to the Words of Allah, Most High:

﴿وَمَنْ قَتَلَ مُؤْمِنًا خَطَاً فَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ وَدِيَةٌ مُسْلَمَةٌ إِلَىٰ أَهْلِهِ ۖ إِلَّا أَنْ يَصَدَّقُوا﴾

“and whosoever kills a believer by mistake, (it is ordained that) he must set free a believing slave and a compensation (blood money, i.e. Diya) be given to the deceased’s family unless they remit it.”^[1]

Up to His Words:

^[1] An-Nisa’ 4:92.

﴿فَمَنْ لَمْ يَجِدْ فَصِيَامُ شَهْرَيْنِ مُتَتَابِعَيْنِ تَوْبَةً مِّنَ اللَّهِ وَكَانَ اللَّهُ
عَلِيمًا حَكِيمًا﴾ (٩٢)

"And whoso finds this (the penance of freeing a slave) beyond his means, he must fast for two consecutive months in order to seek repentance from Allāh. And Allāh is Ever All-Knowing, All-Wise."^[1]

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

She Was Inattentive to Her Small Daughter and it Resulted in Her Killing Herself

Q A woman had a two year-old daughter. She was sitting with her daughter in the sitting room with a pot of coffee and a flask of tea. The little girl went to play and her mother looked away from the direction in which she had gone, while she was washing the coffee cups. Suddenly, the little girl came to the coffee pot and seized it and it fell on her. The coffee was extremely hot, and when the little girl fell, the coffee entered her intestines and after twenty-four hours, the daughter died. So the woman is asking: Is there any atonement incumbent upon her or not? And what is the atonement for that?

A The questioner is more knowledgeable regarding the circumstances and the conditions surrounding the matter. If she feels certain that she was negligent in leaving the girl so that the accident took place, and the mother was the cause of that, then she must make atonement. That atonement is to free a believing slave; and if she is not able to do so, then she must fast for two consecutive months.

The Permanent Committee

^[1] *An-Nisa'* 4:92.

Atonement Must be Made for Accidental Killing

Q I killed a person and I was forced to kill her against my will. Now I am ill and I cannot fast, so what should I do, may Allah reward you with goodness?

A Since the killing was an accident, you must atone for it, and the atonement is to free a believing slave; and if you do not find one, then you must fast for two consecutive months. You may not feed (the poor) for it, since Allah did not mention feeding (the poor) in the Verse, so the atonement remains incumbent upon one who is unable until he is able.

Ibn Jibreen

The Atonement is Incumbent Upon the One Who Ran Over a Victim

Q A woman had a two-year old son. He went out of the house into the road and was accidentally hit by a car belonging to one of his relatives. Is his mother obligated to do anything, bearing in mind that since this happened, she is suffering tremendously because of the accident?

A If the situation is as you have described in the question, then there is nothing incumbent upon the mother. The *Diyah* and atonement are only required from the person who ran over the child.

And we ask Allah to recompense the parents with goodness and to console them in their loss, and verily, we are Allah's and to Him shall we return.

Ibn Baz

There is no Atonement Incumbent Upon Her

Q I had (care of) a baby girl who was breast-feeding, and her mother put her on her bed and went to the other

children and sat with them until they slept. Then sleep overcame her and she slept with them. Then when I arrived and woke her up, I found that the baby girl had cried very much and the signs of crying were clearly apparent. She remained in hospital for a number of days, then she died due to this. The question is: Is there any atonement due upon the mother, and what is it? May Allah reward you.



If the matter is as stated by the questioner, then there is nothing incumbent upon the mother of the baby girl, because she did not do anything to cause her death. And Allah is the Granter of success.

Ibn Baz

Caution is Better



Thirty years ago, my mother was working on a farm and after a hard day's work, she went home at night. At bedtime, while she was breast-feeding her three-month old baby girl, she slept with the baby girl beside her and early in the morning, she found her daughter had died. Bearing in mind that she does not know what caused the death, whether she rolled over onto her during her sleep, or leaned against her while the breast was in her mouth she does not know what caused her death, so what is incumbent upon her?



It is more prudent for her to complete a fast of sixty consecutive days, because it would appear from the circumstances that she died because of her, if she knows of no other cause. It is a rule in Islamic Law to act upon what is most probable in cases of uncertainty, in order to fulfill one's obligations from the rights of Allah and the rights of His creatures. May Allah help her to complete it.

Ibn Baz

There is Nothing Incumbent Upon You, Because You Did Not Intend to Kill Him

Q I am asking about an accident which occurred to me a year and a half ago. I used to love my father but family matters occurred between us, but in spite of these matters, I loved him and he loved me too, but because of these matters, we continually disagreed, every day. One day, my father became ill and entered the hospital. After he left, the doctor informed my mother that he must not be subjected to any problems, because they might affect his mood and cause his death, and because he could not bear any shock. Three months passed after his discharge from the hospital and my mother did not inform us of this. Then a problem occurred between him and I which made him angry with me. He had a shock on the same day from some other problems, then he was admitted to the hospital and he died. Now I am asking: Was I the cause of this? And what is required of me by the Islamic Law?

A Nothing is required of you, because you did not intend to harm him, and you did not know about the problems which he was advised to avoid. So Allah Willing, there is no sin upon you. People always suffer from problems, and it is not possible to remain free of them. You are no different from other people in this regard, so there is nothing incumbent upon you, Allah Willing. There is no ransom required for you to pay, nor any atonement, because these matters normally occur between people: They occur between the father and his son and between brothers and between a man and his wife — so there is nothing in this, Allah Willing.

Ibn Baz

Whoever is Obligated to Pay the *Diyah* Due to Accidental Killing is Obligated to Atone For it

Q I was involved in a car accident. As a result of that, two men in the other car died and I suffered a slight fracture of the palate. My brother suffered a spinal fracture. The Court ruled that the fault was divided between myself and (the driver of) the other car at a ratio of 3 to 4, and I paid a hundred and fifty thousand Riyals as a *Diyah* for the two men. So I am asking Your Eminence, the *Shaikh*: Is there any fasting incumbent upon me? And is the fasting two months or four months?

A Let me take this opportunity to say that it is incumbent upon those who are driving cars — especially on long trips — to fear Allah, the Almighty, the All-Powerful. They must know that they are carrying lives which are sacred. They must fear Allah and drive their cars carefully and wisely and in a suitable manner. It is unlawful for anyone who is not good at driving or cannot drive due to sleep or some defect in the car to drive that car on such roads as these, and in these circumstances. This is dangerous to himself and to other Muslims. How many innocent lives have been lost on these roads because of the recklessness and carelessness of the drivers in this matter?

As for what the questioner asked, regarding him being in an accident in which deaths occurred and him being required to pay a *Diyah* for the two who died in accordance with the legal verdict of the Judge — he must make atonement. Because if he is required to pay the *Diyah*, he is required to make atonement, even if the fault was shared by him and others. Then, it is necessary for all of those responsible to atone, according to the Words of Allah, Most High:

﴿وَمَا كَانَ لِمُؤْمِنٍ أَنْ يَقْتُلَ مُؤْمِنًا إِلَّا خَطَاً وَمَنْ قَتَلَ مُؤْمِنًا خَطَاً فَتَحْرِيرُ رَقَبَةٍ مُؤْمِنَةٍ﴾

“It is not for a believer to kill a believer except (that it be) by mistake; and whosoever kills a believer by mistake, (it is ordained that) he must set free a believing slave”^[1]

Up to His Words:

﴿فَمَنْ لَمْ يَجِدْ فَصِيَامُ شَهْرَيْنِ مُتَتَابِعَيْنِ تَوْبَةً مِّنَ اللَّهِ وَكَانَ اللَّهُ عَلِيمًا حَكِيمًا﴾

And whoso finds this (the penance of freeing a slave) beyond his means, he must fast for two consecutive months in order to seek repentance from Allāh. And Allāh is Ever All-Knowing, All-Wise.”^[2]

So it is incumbent upon you to atone for every person killed in this accident. You mentioned that two people died, so you must make atonement twice. The atonement is to free a slave, or, if you do not find one, then to fast for two consecutive months for each slave — so you must make atonement twice, either by freeing two slaves or by fasting for two months consecutively for each person killed.

It is not sufficient to make one atonement for both people; you must fast for two consecutive months for one person, then fast two more consecutive months for the other person — if you are unable to free slaves. This demonstrates the importance of the Muslim’s blood and protecting innocent lives.


Ibn ‘Uthaimin

If the *Diyah* is Remitted, is it Necessary to Make Atonement?

Q If a driver accidentally killed a man and the family of the victim forgave him the *Diyah*, is it necessary for him to fast for two months or less, because he is weak and he did not intend to harm this deceased person, or is he pardoned from it?

^[1] *An-Nisa’* 4:92.

^[2] *An-Nisa’* 4:92.

 If it is confirmed that the death was accidental, it is necessary to pay the *Diyah* and to make atonement, even though the driver did not intend to cause harm to the person he killed.

If those with the right to the *Diyah* forgave him, the obligation to pay the *Diyah* is lifted, but the obligation to make atonement remains. So he must fast for two consecutive months. Due to the difficulty of atoning by freeing slaves now; and if he is unable to fast for two consecutive months at the present time, but he thinks it is most likely that he will have the opportunity to fast for two consecutive months in the future, he may delay the fasting until the time when he is able to do it, so that he may perform it in the required manner. If he feels that there is no hope that he will be able to do it in the future, the obligation to do it in two consecutive months is lifted from him and he may fast for two months in any way, according to his ability; Allah, Most High says:

﴿لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا وُسْعَهَا﴾

"Allāh burdens not a person beyond his scope."^[1]

And He, Most High says:

﴿وَمَا جَعَلَ عَلَيْكُمْ فِي الدِّينِ مِنْ حَرَجٍ﴾

"and has not laid upon you in religion any hardship"^[2]

And He, Most High says:

﴿فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ﴾

"So keep your duty to Allāh and fear Him as much as you can;"^[3]

And the Prophet ﷺ said:

^[1] Al-Baqarah 2:286.

^[2] Al-Hajj 22:78.

^[3] At-Taghabun 64:16.

«إِذَا أَمَرْتُكُمْ بِشَيْءٍ فَأَتُوا مِنْهُ مَا اسْتَطَعْتُمْ»

“If I order you to do something, then do it as much as you can.”^[1]

A matter similar to this, included in the generality of the evidences, is the obligation to pray for one who is unable to purify himself by water or dust (*Tayammum*) and the obligation upon the *Mukallaf*^[2] while leaving those of its pillars which he is unable to perform; this and other such examples are included in the generality of the evidences for the lifting of sin and the flexibility of the Islamic Law.

The Permanent Committee

The Meaning of Freeing a Neck

Q The freeing of a neck is a matter which has become unclear for some people and they do not know its meaning, possibly because they have not seen it actually taken place. There is a brother here asking about freeing a neck, especially since we hear of many cases that require a neck to be freed for atonement, and we do not know what a neck is. Is it a person who has been sentenced to death, then pardoned? Or is it an animal?

A What is meant by freeing a neck is to free a slave that someone owns, either male or female. Allah, Most Glorified, Most High has legislated for His worshippers that when they perform *Jihad* against the enemies of Islam and defeat them, then their children and women are to be taken as slaves of the Muslims. They may then use them, benefit from them, sell them and dispose freely of them.

The same is the case with the male captives (i.e. the prisoners of war), if any of them are taken captive. The person in authority

^[1] Al-Bukhari no. 7288 and Muslim no. 1337.

^[2] *Mukallaf*: One obligated to observe the precepts of the religion.

has the choice: If he wishes, he may kill the male captives and if he wishes, he may enslave them. If he sees some benefit in it, he may free them; and if he wishes, he may enslave them and make them war booty, and if he wishes, he may kill them, if he sees some benefit in killing them. If he wishes, he may ransom them, for example, if the disbelievers have Muslim captives. Then he may take the Muslim captives from the polytheists and give them their captives, i.e., an exchange of prisoners; or he may take money from them for the freedom of their prisoners, as the Messenger ﷺ did on the day of (the Battle of) Badr, for he had captives and he killed some of them, and ransomed some of them, and they included An-Nadhr bin Al-Harith, 'Uqbah bin Abi Mu'it, whom he killed after the battle was over. As for the remaining captives, he ransomed them, and he ordered the Muslims to ransom them, and to take the ransom from the polytheists equivalent to what their captives had left. He also ﷺ pardoned some of them.

So it is permissible for the person in authority to pardon them if he sees some benefit in doing so, and it is permissible for him to kill them if he sees some benefit in doing so, and it is permissible for him to enslave them if he sees some benefit in that, and it is permissible for him to ransom them.

These are the bonded necks which the Muslims own when they defeat their enemies; they are slaves for the Muslims. After that, it is for the slave-owner to choose: If he wishes, he may use him to meet his needs and if he wishes, he may sell him and benefit from his price. Or, if he wishes, he may free him for the sake of Allah, the Almighty, the All-Powerful — and that is a voluntary act (of charity); or he may free him as an atonement for (unintentional) killing, or as an atonement for having sexual intercourse during the fast of Ramadhan, or as an atonement for *Zihar* or as an atonement for an oath, according to the words of the Prophet ﷺ:

«أَيُّمَا امْرِئٍ مُسْلِمٍ، أَعْتَقَ امْرَأً مُسْلِمًا اسْتَنْقَدَ اللَّهُ بِكُلِّ عَضْوٍ مِّنْهُ عَضْوًا

مِنْهُ مِنَ النَّارِ

“If any Muslim man who frees a Muslim man, for every one of his limbs, Allah will free a limb from the Fire.”^[1]

Ibn Baz

Al-Qasamah

Is it the Heirs Who Swear Their Oaths of Al-Qasamah^[2]

All praise and thanks be to Allah, Alone and may peace and blessings be upon him after whom there is no Prophet, Muhammad, and upon his family and Companions. As for what follows:

In the eighth session of the Council of the Senior Scholars, which met in the city of Riyadh in the first half of the month of Rabi' Al-Akhar in the year 1396 A. H., the Council studied the research into *Al-Qasamah*, which had been deferred from the seventh session until the eighth session: Is it the heirs who swear their oaths of *Al-Qasamah*, or is it the paternal relations themselves who swear, even if they are not heirs, if they are adult, rational males?

After the Council had listened to what has been prepared in this matter of the sayings of the scholars, their evidences, their discussions, and exchanges of ideas, the Council decided by a majority that those of the heirs who swear are the adult, rational males — even one, whether they are from the paternal relatives (*Al-'Asabah*) or not, based upon what has been confirmed in the Two *Sahihs* in the *Hadith* of Sahl bin Abi Hathmah. That is the

^[1] Al-Bukhari no. 6715 and Muslim no. 1509.

^[2] *Al-Qasamah*: An oath taken in the following circumstances: When a person is found slain in a place and it is not known who killed him, and his heirs take an oath to their right to the blood money.

story when ‘Abdullah bin Sahl was killed by some Jews. It was narrated that the Messenger ﷺ said to Huwayyisah, Muhayyisah and ‘Abdur-Rahman bin Sahl:

«أَتَحْلِفُونَ وَتَسْتَحِقُّونَ دَمَ صَاحِبِكُمْ»

“Will you swear an oath and take the right to the blood money of your companion?”^[1]

They said: “No.” And in another version:

«يُقْسِمُ خَمْسُونَ مِنْكُمْ»

“Let fifty men from among you take oaths.”^[2]

And, because it is an oath to a claim of rights, it is not lawful regarding the right of other than the claimants, like all oaths.

And Allah is the Granter of success. And may peace and blessings be upon Muhammad and upon his family and Companions.

The Council of Senior Scholars

^[1] Al-Bukhari no. 3173, Muslim 1669 and Abu Dawud no. 4521.

^[2] Abu Dawud no. 4520.

The Book of Legal Punishments

The Punishment for Illegal Sexual Intercourse

There are no Conditions Attached to One Who Stones the Adulterer

Q One of the Islamic Courts in the city of Ta'z, in the Yemen Arab Republic, ruled that a woman be stoned for committing adultery. Some of the people were hesitant to stone her. The reason was that they said it is required that the one doing the stoning fulfill certain conditions, such as that he may be free of sin. Much was said about this. Advise us about this and may Allah reward you with goodness.

A I was very happy to hear of the judgement of the Court in Ta'z that the married adulteress be stoned. By that, the punishment of Allah, which most of the Islamic countries have neglected, would be implemented. So may Allah reward the Court with goodness and grant the Government of Yemen and all of the Islamic Governments success in judging by the Law of Allah between His creatures in the matter of punishments, as well as other matters. There is no doubt ruling according to the Law of Allah will improve their affairs and bring them happiness in the life of this world and in the Hereafter, and that it is incumbent upon the Muslims to cooperate in this.

Whoever takes part in stoning a married adulterer, is rewarded for that, and it is not fitting for anyone to abstain from it if a ruling of stoning is issued. The Prophet ﷺ ordered the Companions, may Allah be pleased with them, to stone Ma'iz Al-Aslami, and the two Jews, and the woman from the Ghamidi

tribe, as well as others. The Companions, may Allah be pleased with them, hastened to do it. May Allah grant the Muslims success in following their way in punishments and other matters.

There is no such condition that one who takes part in stoning must be sinless or free from error. This is because the Messenger ﷺ did not impose such a condition, and it is not permissible for any person to impose a condition for which there is no evidence from the Book of Allah, Most Glorified or the Sunnah of His Messenger ﷺ.

And Allah is the Granter of success.

Ibn Baz

Does the Marriage of the Adulterer to the Adulteress Excuse Them From the Punishment?

Q Is the marriage of an adulterer to an adulteress with whom he had illegal sexual intercourse an atonement for their sin? And does the marriage excuse them from the imposition of the punishment?

A The marriage of the adulterer to the woman with whom he committed illegal sexual intercourse is not considered an atonement. The atonement for adultery is only in two things: Either the punishment is imposed upon him if news of it reaches the authorities, or he must turn in repentance to Allah, the Almighty, the All-Powerful due to this act of adultery, improve his behavior and stay away from places of temptation and fornication.

As for him marrying this woman, it is forbidden for him to marry her, and it is forbidden for her to marry him, because Allah says:

﴿الزَّانِي لَا يَنْكِحُ إِلَّا زَانِيَةً أَوْ مُشْرِكَةً وَالزَّانِيَةُ لَا يَنْكِحُهَا إِلَّا زَانٍ أَوْ مُشْرِكٌ وَحَرِّمَ ذَلِكَ عَلَى الْمُؤْمِنِينَ﴾ (٢٤)

"The adulterer-fornicator marries not but an adulteress-fornicatress or a Mushrikah; and the adulteress-fornicatress, none marries her except an adulterer-fornicator or a Mushrik [and that means that the man who agrees to marry (have a sexual relation with) a Mushrikah (female polytheist, pagan or idolatress) or a prostitute, then surely, he is either an adulterer-fornicator or a Mushrik (polytheist, pagan or idolater). And the woman who agrees to marry (have a sexual relation with) a Mushrik (polytheist, pagan or idolater) or an adulterer-fornicator, then she is either a prostitute or a Mushrikah (female polytheist, pagan, or idolatress)]. Such a thing is forbidden to the believers (of Islāmic Monotheism)"^[1]

Unless they repent to Allah with sincere repentance and regret what has passed and improve their behavior. Then there is no objection to him marrying her, just as any other may marry her.

As for a child that may result from illegal sexual intercourse, he is not considered the son of his father, according to the generality of the words of the Messenger ﷺ:

«الْوَلَدُ لِلْفِرَاشِ وَلِلْعَاهِرِ الْحَجَرُ»

"The child is attributed to the mattress on which he was born and Al-'Ahir is to be stoned."^[2]

Al-'Ahir means the one who commits illegal sexual intercourse. That is, he has no child, that is the meaning of the *Hadith*. Even if he married her after repenting, the child created from the first water (i.e. the sperm of illegal sexual intercourse) will not be his child and will not inherit from this person who committed illegal sexual intercourse, even though he claims him as his son, because he is not a legitimate son.

Ibn 'Uthaimin

^[1] An-Nur 24:3.

^[2] Al-Bukhari no. 6818 and Muslim no. 1458.

It is Sufficient to Repent

The following question was received by the Presiency for the Administrations of Scientific Researches and Religious Verdicts:

Q I am married and my wife is in Lebanon. I work in Brazil in order to earn my living and to educate my children. But I committed an act of illegal sexual intercourse here, and I have already expressed regret and repented to Allah. Is that sufficient for me, or must the legal punishment also be implemented? Please deliver a legal verdict for me, may Allah have mercy on you.



(The presidency) answered as follows:

There is no doubt that illegal sexual intercourse is one of the major sins. Among the things which lead to this sin are women being unveiled, free mixing of men with unrelated women (i.e. women for whom they are not *Mahrams*), the decay of morality, and the corruption of society in general. So if you committed adultery as a result of being far away from your wife and mixing with evil and corrupt people, then you regretted your sin and repented to Allah with a sincere repentance, we hope that Allah will accept your repentance and forgive you your sin, in accordance with the Words of Him, Most High:

﴿وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ وَمَنْ يَفْعَلْ ذَلِكَ يَلْقَ أَثَامًا ﴿٦٨﴾ يُضَاعَفْ لَهُ الْعَذَابُ يَوْمَ الْقِيَامَةِ وَيَخْلُدْ فِيهِ مُهَانًا ﴿٦٩﴾ إِلَّا مَنْ تَابَ وَآمَنَ وَعَمِلَ عَمَلًا صَالِحًا فَأُولَٰئِكَ يُبْدِلُ اللَّهُ سَيِّئَاتِهِمْ حَسَنَاتٍ وَكَانَ اللَّهُ غَفُورًا رَحِيمًا ﴿٧٠﴾﴾

“And those who invoke not any other ilāh (god) along with Allāh, nor kill such person as Allāh has forbidden, except for just cause, nor commit illegal sexual intercourse — and whoever does this shall receive the punishment. The torment will be doubled to him

on the Day of Resurrection, and he will abide therein in disgrace; Except those who repent and believe (in Islāmic Monotheism), and do righteous deeds; for those, Allāh will change their sins into good deeds, and Allāh is Oft-Forgiving, Most Merciful.^[1]

It has been confirmed from ‘Ubadah bin As-Samit, may Allah be pleased with him, in the *Hadith* of the women’s oath of allegiance, that the Prophet ﷺ said:

«فَمَنْ وَفَى مِنْكُمْ فَأَجْرُهُ عَلَى اللَّهِ وَمَنْ أَصَابَ مِنْ ذَلِكَ شَيْئًا فَعُوقِبَ فَهُوَ كَفَّارَةٌ لَهُ وَمَنْ أَصَابَ مِنْهَا شَيْئًا مِنْ ذَلِكَ فَسْتَرَهُ اللَّهُ فَهُوَ إِلَى اللَّهِ إِنْ شَاءَ عَذِّبُهُ وَإِنْ شَاءَ غَفَرَ لَهُ»

“And whoever among you fulfills it, their reward is with Allah. And whoever commits any such thing is punished for it, and that will be an atonement for it. And if anyone commits anything and Allah conceals (the sin), then the matter rests with Allah. He may forgive them if He wills, and He may punish them if He wills.”^[2]

But you must migrate from that corrupt environment since it encourages you to commit acts of disobedience, and you seek your living in another country where the evil is less than it, in order to preserve your religion. For verily, Allah’s earth is spacious, and a man will not be deprived of a land in which he may earn the sustenance which Allah has written for him:

﴿وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مَخْرَجًا ۚ وَيَرْزُقْهُ مِنْ حَيْثُ لَا يَحْتَسِبُ﴾

“And whosoever fears Allāh and keeps his duty to Him, He will make a way for him to get out (from every difficulty). And He will provide him from (sources) he never could imagine.”^[3]

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

^[1] *Al-Furqan* 25:68-70.

^[2] *Al-Bukhari* no. 4894 and *Muslim* no. 1709.

^[3] *At-Talaq* 65:2-3.

An Adulterer's Wife is Not Forbidden to Him

Q If a man committed illegal sexual intercourse and he is married, is his wife forbidden to him, and likewise the woman [i.e., is he (his husband) forbidden to her]?

A Neither of them is forbidden to the other. They must both repent to Allah, Most Glorified, Most High, with sincere repentance. They must accompany this repentance with true faith and righteous deeds. The repentance will only be sincere if the penitent one renounces the sin and regrets what has already occurred, and makes an honest intention not to repeat it. He must do this while fearing Allah, Most Glorified and in order to glorify Him and hope for His Reward and avoid His Punishment; Allah, Most Glorified says:

﴿وَإِنِّي لَغَفَّارٌ لِّمَن تَابَ وَآمَنَ وَعَمِلَ صَالِحًا ثُمَّ اهْتَدَىٰ﴾

"And verily, I am indeed forgiving to him who repents, believes (in My Oneness, and associates none in worship with Me) and does righteous good deeds, and then remains constant in doing them (till his death)."^[1]

And He, Most Glorified says:

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا تُوبُوا إِلَى اللَّهِ تَوْبَةً نَّصُوحًا﴾

"O you who believe! Turn to Allāh with sincere repentance!"^[2]

And He, the Almighty, the All-Powerful says:

﴿وَتُوبُوا إِلَى اللَّهِ جَمِيعًا أَيُّهَا الْمُؤْمِنُونَ لَعَلَّكُمْ تُفْلِحُونَ﴾

"And all of you beg Allāh to forgive you all, O believers, that you may be successful."^[3]

Illegal sexual intercourse is one of the greatest prohibited acts

[1] Ta-Ha 20:82.

[2] At-Tahrim 66:8.

[3] An-Nur 24:31.

and one of the worst of the major sins. Allah has promised the polytheists, those who kill without right and those who commit illegal sexual intercourse that He will double their punishment on the Day of Resurrection and that they will abide therein (i.e. the Hell-fire), humiliated and in disgrace, due to the seriousness of their crimes and the evil nature of their deeds. Allah, Most Glorified says:

﴿وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ وَمَنْ يَفْعَلْ ذَلِكَ يَلْقَ أَثَامًا ﴿٣٨﴾ يُضَاعَفْ لَهُ الْعَذَابُ يَوْمَ الْقِيَمَةِ وَيَخَلَّدُ فِيهِ مُهَنَّا ﴿٣٩﴾ إِلَّا مَنْ تَابَ وَآمَنَ وَعَمِلَ عَمَلًا صَالِحًا﴾

“And those who invoke not any other ilāh (god) along with Allāh, nor kill such person as Allāh has forbidden, except for just cause, nor commit illegal sexual intercourse — and whoever does this shall receive the punishment. The torment will be doubled to him on the Day of Resurrection, and he will abide therein in disgrace; Except those who repent and believe (in Islāmic Monotheism), and do righteous deeds.”^[1]

Therefore, it is an obligation upon every Muslim man and woman to stay far away from these great evils and the things that lead to them, and to hasten to honest repentance for what has already passed of such things. And Allah, Most Glorified turns with forgiveness to the truly penitent and pardons them. And Allah is the Granter of success.

Ibn Baz

The Legal Punishment is Implemented Upon the Drunkard Who Commits Illegal Sexual Intercourse

Q A man raped his wife’s sister while he was drunk. What is the punishment of the Islamic Law for him? And does this woman who was raped have any right against him? Likewise, I am asking what I must do with this girl after I

^[1] *Al-Furqan* 25:68-70.

have made a contract of marriage with her and she informed me of what had happened after three months — and I know that she is innocent.



The punishment of this man who raped his wife's sister while he was drunk is that the (same) legal punishment for a sober adulterer be inflicted upon him, according to what is well known in the *Madhhab* of Imam Ahmad. If this man was united with his wife in a valid marriage, and they are both free, rational adults, then he must be stoned to death, because this is the punishment for the married adulterer, as is confirmed in the Two *Sahihs* from the *Hadith* of Abu Hurairah and Zaid bin Khalid Al-Juhani, may Allah be pleased with them. That is the story of the servant who committed an act of illegal sexual intercourse with the wife of the man who had hired him, and the Prophet ﷺ ordered that the woman be stoned.

And it has been confirmed in the Two *Sahihs* from the *Hadith* of 'Umar bin Al-Khattab, may Allah be pleased with him, that he delivered a sermon in which he said:

وَالرَّجْمُ فِي كِتَابِ اللَّهِ حَقٌّ عَلَى مَنْ زَنَى إِذَا أُحْصِنَ مِنَ الرِّجَالِ
وَالنِّسَاءِ، إِذَا قَامَتِ الْبَيِّنَةُ أَوْ كَانَ الْحَبْلُ أَوْ الْاِعْتِرَافُ

“Verily, stoning is confirmed in the Book of Allah for the one who commits illegal sexual intercourse, if he is a married man or a married woman, if the evidence is produced, or she is pregnant or a confession.”^[1]

As for the girl who was raped, she has a right upon him according to what is determined by the Islamic Law Court Judge in the matter. As for this man who has married the girl, and then after three months she told him what happened, and he says that he knows she is innocent: If he considers that his wife is righteous and straightforward, he should hold onto her. The rape she suffered should not adversely affect her in any way,

[1] Al-Bukhari no. 6830 and Abu Dawud no. 4418.

because it happened without her consent.

Ibn 'Uthaimin

The Prayer of the Fornicator

Q Is the prayer of the fornicator invalidated, bearing in mind that I am unable to marry, due to my financial circumstances?



Allah, Most High says:

﴿وَلَا تَقْرُبُوا الزِّنَىٰ إِنَّكُمْ كَانَفِحِشَةً وَسَاءَ سَبِيلًا﴾

“And come not near to unlawful sex. Verily, it is a Fāhishah (i.e. anything that transgresses its limits: a great sin), and an evil way (that leads one to Hell unless Allāh forgives him).”^[1]

And the scholars have unanimously agreed that illegal sexual intercourse is a shameful deed. It is one of the greatest of the major sins, and that it is not permissible under any circumstances. Allah has praised the successful believers in His Words:

﴿وَالَّذِينَ هُمْ لِأَفْوَاجِهِمْ حَافِظُونَ﴾

“And those who guard their chastity (i.e., private parts, from illegal sexual acts)”^[2]

So it is an obligation upon the Muslim to guard his private parts from that which is forbidden, and it is also incumbent upon him to avert his gaze, and to stay away from the causes of shameful deeds, such as looking at disgraceful, depraved films. He must also strive to keep himself chaste by legitimate marriage, because that is better in order to avert one's glance and to preserve the private parts.

Whoever is unable to do so should fast, because it is a

^[1] Al-Isra' 17:32.

^[2] Al-Mu'minun 23:5.

protection for him, as reported in the *Hadith*. And when he allows himself to be seduced and commits illegal sexual intercourse, he must repent and express regret. However, his prayer is not invalidated, nor are his good deeds.

And Allah is the Granter of success.

Ibn Jibreen

The Ruling on Sodomy and the Punishment Thereof

Q What is the ruling on sodomy in Islam and what is the punishment?

A The shameful act of sodomy is one of the most repugnant of shameful acts and we seek refuge with Allah (from it). Because of it, Allah destroyed the people of Lut, peace be upon him, and punished them with a terrible punishment, turning their homes upside down and raining stones of baked clay upon them, layer upon layer, (as Allah said): “marked from your Lord and they are not ever far from the wrongdoers.”

It has been reported from the Companions, may Allah be pleased with them, that the punishment for one who does that or allows it to be done to him is that he be killed. Or, to be burnt or to be stoned. Or, to be thrown from the highest point (mountain, tower, lofty building etc.), then to follow it with stoning.

This is because of its corruption of morals, customs, and because of its violation of the natural human state, and because of the abandonment of lawful marriage by those who practice it.

Ibn Jibreen

The Repugnancy of *Al-Liwat*

Q What is the ruling on *Al-Liwat* in the religion? Is it true that the Throne of the Most Beneficent shakes because of that? I request that your Eminence respond to this

question with a complete answer and reliable evidences for me and for others; and may Allah reward you with every goodness.



Al-Liwat is sex between two males, and the commission of shameful sexual acts in the man's anus. Included in its meaning is the act of sex in a woman's anus.

It is the sin which was committed by the people of Lut, peace be upon him, as Allah, Most High says:

﴿أَتَأْتُونَ الذَّكَرَانَ مِنَ الْعَالَمِينَ﴾

"Go you in unto the males of the 'Ālamīn (mankind),"^[1]

He punished them for that, and turned their homes upside-down, and sent stones from the heaven upon them; He, Most High says:

﴿إِنِّيْكُمْ لَأَتُونَ الرِّجَالَ شَهْوَةً مِّنْ دُونِ النِّسَاءِ﴾

"Do you practise your lusts on men instead of women?"^[2]

Therefore, it is fitting that anyone who does as they do should be punished in the same way. Some of the Companions, may Allah be pleased with them, ruled that the one who does it should be burned. Some of them said that rather, he should be thrown from the highest point (mountain, tower, building etc.) then be stoned.

Hadiths have been reported about it, such as the saying of the Prophet ﷺ:

«مَنْ وَجَدْتُمُوهُ يَعْمَلُ عَمَلِ قَوْمِ لُوطٍ فَأَقْتُلُوا الْفَاعِلَ وَالْمَفْعُولَ بِهِ»

"Whoever you find committing the acts of the people of Lut, kill the doer and the one whom he does it to."^[3]

[1] *Ash-Shu'arā* 26:165.

[2] *An-Naml* 27:55.

[3] Abu Dawud no. 4462 and At-Tirmithi 1456.

Perhaps the reader would like to refer to *Al-Jawab Al-Kafi* by Ibn Al-Qayyim, for he has mentioned in it along with the many proofs of the repugnancy of this crime And Allah knows best.

Ibn Jibreen

The Sin of One Bestiality

Q Should a sheep be killed if a person has sex with it?

A Allah has permitted a man to take pleasure with his wife and with his slave-girl and to have sexual intercourse with them. The exceptions for that, are the situations when He has forbidden him to take pleasure with his wife and his slave-girl. Such as the time of her menstrual period. He has also forbidden him to have sexual intercourse with other than them, and declared it to be a transgression of His Limits; Allah, Most High says:

﴿وَالَّذِينَ هُمْ لِأُفْرُوجِهِمْ حَافِظُونَ ﴿٥﴾ إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ فَإِنَّهُمْ غَيْرُ مَلُومِينَ ﴿٦﴾ فَمَنْ ابْتَغَىٰ وَرَاءَ ذَلِكَ فَأُولَٰئِكَ هُمُ الْعَادُونَ ﴿٧﴾﴾

“And those who guard their chastity (i.e. private parts, from illegal sexual acts) Except from their wives or (the slaves) that their right hands possess, — for then, they are free from blame; But whoever seeks beyond that, then those are the transgressors;”^[1]

Accordingly, a man having sex with a sheep or any other such animal is forbidden and a transgression of Allah’s Limits. But it does not require the legal punishment to be imposed, as in the case when a man has illegal sexual intercourse with a woman. Rather, it is only necessary for the person to be rebuked as the Judge sees fit.

As for the sheep, it is neither punished nor rebuked, since it is

^[1] *Al-Mu’minun* 23:5-7.

not responsible under the Islamic Law. However, it should be removed far from the place where the crime against it took place, either by selling it, and transferring it to another area, or by slaughtering it. Then hopefully, the crime will be forgotten about and the people will stop talking about it. But this is not considered a punishment or a rebuke, because it is the right of its owner to slaughter it and to sell it without anyone considering it a punishment.

It has been reported from the Prophet ﷺ that he ordered that a riding beast with which someone had sex be killed. Based upon this, slaughtering it is better, if its meat may be eaten, such as a sheep or the like, in accordance with this *Hadith*, and in order to stop talk about it.

The Permanent Committee

The Punishment of the Drunkard

It is an Obligation Upon the Muslim to Avoid Selling, Handling, Carrying and Drinking Alcoholic Beverages

Q A man who drinks alcoholic beverages intended to abstain from them and to repent, so he went from Jordan to Makkah by car, in order to perform the *Hajj* and repent. But on the way, he was tempted and he drank alcohol, saying: "It's the last time." What is the ruling?

A Drinking alcohol is forbidden by the Book (of Allah) and the Sunnah and the consensus of the Muslims; Allah, Most High says:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ وَالْأَزْلَامُ رِجْسٌ مِّنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ ﴿٩٠﴾ إِنَّمَا يُرِيدُ الشَّيْطَانُ أَنْ يُوقِعَ بَيْنَكُمُ الْعَدَاوَةَ وَالْبَغْضَاءَ فِي الْخَمْرِ وَالْمَيْسِرِ وَيَصُدَّكُمْ عَنْ ذِكْرِ اللَّهِ وَعَنِ الصَّلَاةِ فَهَلْ أَنْتُمْ مُنْهَوْنَ ﴿٩١﴾ وَأَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَاحْذَرُوا فَإِن تَوَلَّيْتُمْ فَأَعْلَمُوا أَنَّمَا عَلَى رَسُولِنَا الْبَلْعُ الْمَمِينُ ﴿٩٢﴾﴾

“O you who believe! Intoxicants (all kinds of alcoholic drinks), and gambling, and Al-Ansāb, and Al-Azlām (arrows for seeking luck or decision) are abominations of Shaitān’s (Satan’s) handiwork. So avoid (strictly all) that (abominations) in order that you may be successful. Shaitān (Satan) wants only to excite enmity and hatred between you with intoxicants (alcoholic drinks) and gambling, and hinder you from the remembrance of Allāh and from As-Salāt (the prayer). So, will you not then abstain? And obey Allāh and the Messenger (Muhammad ﷺ), and beware (of even coming near to drinking or gambling or Al-Ansāb, or Al-Azlām) and fear Allāh. Then if you turn away, you should know that it is Our Messenger’s duty to convey (the Message) in the clearest way.”^[1]

It has been confirmed from the Prophet ﷺ that he said:

«كُلُّ مُسْكِرٍ خَمْرٌ وَكُلُّ مُسْكِرٍ حَرَامٌ»

“Every intoxicant is Khamr and every intoxicant is forbidden.”^[2]

The Muslims are in complete agreement over the prohibition of alcoholic drinks. The scholars have said that whoever rejects the prohibition of alcohol, then he is a disbeliever and an apostate. But if he is a new convert to Islam and ignorant of the prohibition of alcohol, he must be informed of the ruling. If he then rejects it, he is an apostate

It is an obligation upon the Muslim to stay far away from it, neither selling it, nor buying it, nor carrying it, nor receiving it, nor drinking it, nor anything else. The wisdom behind its prohibition is clear to anyone who witnesses the evil consequences of drinking on a person’s body and mind, and its results on society. Thus, wisdom and logic necessitate its prohibition, as the Islamic Law has ordered.

As for this questioner who drank alcohol for the last time, as he

^[1] Al-Ma’idah 5:90-92.

^[2] Muslim no. 2003.

says, when he was on the road to *Hajj*, if his repentance is sincere, then Allah, Most High will turn to him in forgiveness and accept his repentance, no matter how great his sins.

Ibn 'Uthaimin

The Ruling on Informing People About the Drunkard

Q Is it permissible to inform people about a relative or a friend who does forbidden things, such as drinking alcohol for example, after advising him repeatedly? Or would that be considered disgracing him, even though one who keeps silent about the truth is a dumb devil?

A The obligation of the Muslim to his brother, if he sees him doing something forbidden, is to advise him and to warn him against persisting in acts of disobedience to Allah, Most High, and to make the punishment of sins and their evil effect upon the heart, the soul and the limbs, and upon the individual and the community clear to him. Perhaps through repeated advice, he may refrain and sober up.

If this has no effect on him, then he (i.e., the advisor) must take the shortest route to rid him of these sins, whether by informing the authorities, or by informing another person who is highly respected by this wrongdoer (such as an Imam or Islamic scholar etc.). In any case, he must take the shortest route by which the objective is attained, even if it means reporting him to the authorities, so that they may prevent him.

Ibn 'Uthaimin

The Ruling on Using Alcohol With Medicine

Q Sometimes alcohol is added during the process of making some medicines and drugs. If it is confirmed that alcohol has been added in the process of making certain medicine, is it permissible to use it if it is described as a

treatment for a certain illness?



If the amount of alcohol mixed with the medicine is little and it is essential in order to preserve the substance, then it is permissible to use the medicine with it. But if it is a lot and it is not essential, then it is not permissible, no matter what the treatment is.

Ibn Jibreen

Alcohol is not a Cure



What is the ruling on a person who was about to die and it was not possible to cure him with anything except alcohol?



Seeking treatment is something which is lawful, but it must be by something which Allah, the Almighty, the All-Powerful and His Messenger ﷺ have legislated. Because it is only in this that it is possible to find a cure. As for that which Allah has forbidden, there is no cure therein. Among the proofs for the prohibition of seeking treatment with prohibited medicines in general, and alcohol in particular, is the narration of Al-Bukhari in his *Sahih* in disconnected form, on the authority of Ibn Mas'ud, may Allah be pleased with him,

«إِنَّ اللَّهَ لَمْ يَجْعَلْ شِفَاءَكُمْ فِي مَا حَرَّمَ عَلَيْكُمْ»

“Verily, Allah has not made a cure for you in that which He has forbidden to you.”^[1]

It was attributed to the Prophet ﷺ by At-Tabarani with a chain of narrators who are all reliable. It was also narrated by Ahmad, Ibn Hibban in his *Sahih*, Al-Bazzar, Abu Ya'la, and At-Tabarani; and the men in Abu Ya'la's chain of narrators are all reliable, reporting on the authority of Umm Salamah, may Allah be pleased with her.

Abu Dawud narrated it in his *Sunan* from the *Hadith* of Abu Ad-

^[1] Al-Bukhari no. 5614 .

Darda', may Allah be pleased with him, in which he said that Allah's Messenger ﷺ said:

«إِنَّ اللَّهَ أَنْزَلَ الدَّاءَ وَالذَّوَاءَ وَجَعَلَ لِكُلِّ دَاءٍ دَوَاءً فَتَدَاوُوا وَلَا تَتَدَاوُوا بِحَرَامٍ»

"Verily, Allah sent down the disease and the cure and He created a cure for every disease, so seek treatment, but do not seek treatment with that which is forbidden."^[1]

It is also reported in *Sahih Muslim*, that Tariq bin Suwaid Al-Ja'fi, may Allah be pleased with him, asked the Prophet ﷺ about *Al-Khamr* and he forbade him. The Prophet ﷺ also expressed dislike that he should make it, so he (i.e. Tariq) said: "I only make it as a medicine." The Prophet ﷺ replied:

«إِنَّهُ لَيْسَ دَوَاءً وَلَكِنَّهُ دَاءٌ»

"It is not a medicine, but it is a sickness."

It is worth pointing out that when Allah commands something, it is either for some manifest benefit, or because the benefit of it outweighs the harm. When He forbids something, it is either due to some manifest harm, or because the harm outweighs the benefit.

And Allah, the All-Powerful, Most High is Most Wise and All-knowing. And the belief that this disease cannot be cured except by drinking alcohol is pure fancy, because medicines are plentiful, both religious and natural. Also, the medicine does not cure the disease, it is only from Allah, the All-Powerful, Most High that wellness is obtained when one takes medicine. So undertaking the lawful means (to achieve something) might be accompanied by one depending on it, and it might be associated with making it the means while depending upon Allah, the All-Powerful, Most High, along with the belief that the means might benefit or it might not. This is what is required by the Islamic Law. As for absolutely relying upon the means,

^[1] Abu Dawud no. 3874 and Al-Baihaqi no. 10/5.

this is *Shirk*.

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Using Alcohol as a Medicine

Q Is it permissible for a believing person to drink alcohol, claiming it to be a treatment for pain?

A Alcohol is forbidden and it is not permissible to use it as a medicine; the Prophet ﷺ said:

«عِبَادَ اللَّهِ تَدَاوَوْا وَلَا تَدَاوَوْا بِحَرَامٍ، فَإِنَّ اللَّهَ لَمْ يَجْعَلْ شِفَاءَ أُمَّتِي فِيهَا حَرَّمَ عَلَيْهَا»

“O servants of Allah! Seek treatment, but do not seek treatment with that which is forbidden. For Allah has not placed a cure for my people in that which has been forbidden.”

The Permanent Committee

The Ruling on the Worship of One Who Drinks Alcohol

Q If a person drinks alcohol, always commits illegal sexual intercourse, and he performs the prayer and all of the other pillars (of Islam), but he does not abandon drinking alcohol or illegal sexual intercourse, are his acts of worship valid?

A Whoever drinks alcohol and commits illegal sexual intercourse — or any other sin — and declares it to be permissible, then he is guilty of disbelief. No action is accepted when accompanied by disbelief. Whoever commits a sin and he accepts the fact that it is forbidden, but is overcome by his self, and he asks Allah to protect him from it, he is a believer due to

faith and a sinner due to his sin.

It is incumbent upon the worshipper, when he commits any sin, to repent and return to Allah, the All-Powerful, Most High, acknowledge his sin, resolve firmly not to return to it, to regret what he has done, not to play with Allah's religion, and not to be misled by Allah's protection of him and granting him a respite.

This is because Allah, the All-Powerful, Most High expelled Iblis from His Mercy and banished him permanently and called him the accursed Satan because of one sin: Allah commanded him to prostrate to Adam, peace be upon him, and he refused. So Allah sent Adam, peace be upon him, down from Paradise because he disobeyed Allah, the All-Powerful, Most High once. But Adam, peace be upon him, repented, then Allah forgave him and guided him to the Straight Path. So it is not permissible for the worshipper to behave with the behavior of a cunning deceiver towards his Lord. Rather, it is incumbent upon him to revere Allah as one who fears (Him), doing what He commands him to do and leaving what He prohibits for him.

The Permanent Committee

The Ruling on Working in Alcoholic Drink Factories

Q What is the ruling on a Muslim employee working in factories in which nothing is made except the juice for wine and intoxicants?

A Wine and all kinds of intoxicants are forbidden. Establishing factories for their production and working with them are all forbidden. For it is reported on the authority of Ibn 'Abbas, may Allah be pleased with them, that he said: "I heard Allah's Messenger ﷺ saying:

«أَتَانِي جَبْرِيلُ فَقَالَ: يَا مُحَمَّدُ إِنَّ اللَّهَ عَزَّوَجَلَّ لَعَنَ الْخَمْرَ وَعَاصِرَهَا وَمُعْتَصِرَهَا وَشَارِبَهَا وَحَامِلَهَا وَالْمَحْمُولَةَ إِلَيْهِ وَبَائِعَهَا وَمُبْتَاعَهَا وَسَاقِيَهَا

وَمُسْتَقِيهَا»

“Jibril, peace be upon him, came to me and said: “O Muhammad! Verily, Allah, the Almighty, the All-Powerful has cursed Khamr and the one who makes it, the one who drinks it, the one who transports it, the one to whom he transports it, the one who sells it, the one who buys it, the one who pours it and the one for whom it is poured.”^[1]

This was mentioned by Al-Haythami in *Majma‘ Az-Zawa’id* and he said: “Narrated by Ahmad and At-Tabarani and its narrators are all reliable.” And it was also narrated by Abu Dawud and Al-Hakim, with the addition:

«وَمُعْتَصِرَهَا»

“and the one who presses it.”

So it is not permissible for this person who is employed in factories where alcoholic drinks are produced to remain there, due to the above-mentioned *Hadith* which proves that he is cursed. And, because it is a form of cooperation in sin and transgression. Allah, Most High has said:

﴿وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ﴾

“Help you one another in Al-Birr and At-Taqwa (virtue, righteousness and piety); but do not help one another in sin and transgression.”^[2]

As for the employment which has already passed while he was ignorant, he is excused for that, according to the generality of the Words of Him, Most High:

﴿وَمَا كُنَّا مُعَذِّبِينَ حَتَّىٰ نَبْعَثَ رَسُولًا﴾

“And We never punish until We have sent a Messenger (to give

^[1] Majmma‘ Az-Zawa’id 5/73 and Musnad Ahmad 1/316, At-Tabarani 12/233, Abu Dawud no. 3674 and Al-Hakim in Al-Mustadarak no. 2234.

^[2] Al-Ma’idah 5:2.

warning).”^[1]

The revelation was sent down to the Messenger ﷺ from Allah, and he informed the community of it, and the worshipper is not held accountable until after he has informed him, as he was obliged to do (i.e., until after the information has reached him).

The Permanent Committee

Execution For Drug Smugglers and Those Who Distribute Them

All praise be to Allah, the Lord of the worlds. The (blessed) end is for those who fear (Allah). Let there be no transgression except against the wrongdoers. And may peace and blessings be upon the noblest of the Prophets and Messengers, our Prophet, Muhammad and upon all his family and Companions. As for what follows:

In its twenty-ninth session, the Council of the Senior Scholars met in the city of Riyadh from the 9th of Jumad Ath-Thani 1407 A. H. to the 20th of Jumad Ath-Thani 1407 A. H. They studied a telegram from the Custodian of the two Holy Mosques, King Fahd bin ‘Abdil-‘Aziz — may Allah preserve him — bearing the reference no. S/8033 and the date 11/06/1407 A. H. which said:

“In view of the evil effects of narcotics, and because we have noticed that they have spread tremendously in the recent past, and because the general welfare of the people demands a punishment which will act as a deterrent to those who distribute and circulate them — whether by smuggling or by selling them — we request that you present the matter to the Council of the Senior Scholars urgently and to communicate to us their decision.”

The Council studied the matter and discussed it from all angles

^[1] *Al-Isra’* 17:15.

in more than one sitting. After debate and exchange of views, and considering the results of the spread of this evil and its deadly epidemic, (which includes): smuggling, dealing, distribution and usage — as shown by the evil effects upon the individuals who use them — that they cause those who use them to commit crimes of murder and traffic accidents, and chasing after (drug-induced) delusions which lead to those things, and the resultant existence of a level of criminals whose concern is enmity and whose nature is malevolent, and the violation of all things prohibited, and the violation of laws, and the spread of chaos caused by the user being in a state of (drug-induced) euphoria and excitement, believing that he can do anything, besides his tendency to invent fanciful ideas which incite him to commit crimes. Likewise, they (i.e. drugs) have harmful effects on the general health and might lead to mental defects and insanity. We ask Allah to protect us and save us from that.

For all of these reasons, the Council has decided unanimously the following:

First. Regarding the smuggler of drugs, his punishment should be death. This is because of the great corruption caused by such smuggling and bringing drugs into the country and the physical harms and many dangers that effect the whole community. This corruption is not confined just to the smuggler himself. The person who imports them or receives them from abroad and supplies them to the distributors is included along with the smuggler.

Second. As for the distributor of the drugs, what has been issued regarding him in resolution no. 85, dated 11/11/1401 A. H. is sufficient in this matter; and the text of which is as follows:

“1. Whoever distributes them, whether it is by way of production or importation, both selling and buying, or giving them away, or other forms of distribution and dispersal — if it is the first offence, then he should be firmly rebuked by imprisonment or flogging or monetary

fine, or all of these, according to what is necessitated in the view of the Judge. If he repeats the offence, he should be rebuked in a manner which cuts off his evil from the society, even if it necessitates killing him. Because by his action, he is considered one of those who spread corruption in the earth, and those in whose souls criminality is deep-rooted. The investigative scholars have resolved that execution is a legitimate form of rebuke (*Ta'zir*). *Shaikh Al-Islam* Ibn Taimiyyah — may Allah, Most High have mercy on him — said: 'Anyone whose corruption cannot be stopped except by killing him must be killed. Like one who leaves the *Jama'ah* and calls to innovations in the religion...' — up to his words: 'And the Prophet ﷺ ordered the death of a man who deliberately lied about him. And Ibn Ad-Dailami, may Allah be pleased with him, asked him about one who will not stop drinking alcohol and he said:

«مَنْ لَمْ يَنْتَهِ مِنْهُ فَأَقْتُلُوهُ»

"If anyone will not stop doing it, kill him."

And in another place, he — may Allah have mercy on him — said, in justification of killing as a form of rebuke: 'This is because the spreader of corruption is like the robber, if the robber cannot be stopped except by killing him, he must be killed.'

Third. The Council considers that it is essential before any of the aforementioned punishments in paragraphs (1) and (2) of this resolution is inflicted, that all of the necessary measures of confirmation occur from the side of the Islamic Law Court, the Courts of Cessation and the Supreme Judicial Court, in order to meet all obligations and to preserve lives.


Fourth. These punishments must be announced through the media before they are carried out, so that those in authority are excused (from accusations of carrying out the punishment without informing anyone) and as a warning (to others)."


Besides this, (we say that) through Allah is attained success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

Council of the Senior Scholars

The Ruling on the Apostate

If He Repents, the Legal Punishment is not Inflicted Upon the Apostate


 Must the legal punishment be inflicted on the apostate if he committed a sin which entailed his apostasy in the past, then after that, he repented and returned to Allah, Most High? Must the legal punishment be imposed upon him because of his former apostasy which occurred at that time, bearing in mind that the apostasy occurred in a country where the Islamic Law is not implemented? Or is his repentance sufficient to wipe out the sin of apostasy and thus negate the implementation of the legal punishment?

 Whoever turned apostate from the religion of Islam and then returned to it in repentance, his repentance cancels what came before it. This is proved by the Book (of Allah) and the Sunnah.

Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Punishment For One Who Persists in Reviling the Religion is Death

 What is the ruling on one who reviles the religion and Allah? And what is the atonement for him? And bearing in mind that the man is married, is his wife forbidden to him,

or is she divorced?




There is no doubt that this is apostasy from Islam and disbelief in Allah. The one who does it deserves to be killed, unless he repents. His wife is divorced from him and the relations with his family are cut off; he does not inherit from them, and they do not inherit from him. But if he repents, regrets what he has done, seeks forgiveness and acknowledges his sin, Allah will turn to him with forgiveness, and he may take back his wife, as long as she has not completed her waiting period. If she has completed it, she is her own master and she is not permissible to him unless she wishes to.


Ibn Jibreen

The Book of Eating

Animals that are Lawful to Eat and Those that are Forbidden

A Rule Regarding Animals Forbidden to Eat and those Permissible to Eat

 Is there a rule in the Islamic Law upon which one may depend regarding the prohibition and permission of eating animals? Because the Qur'an and the Sunnah have not made clear all of the animals. There are some domestic animals which are permissible and some which are forbidden, the same with wild animals. So if there is a rule or distinguishing characteristics for the forbidden and the permissible, I request that you explain so that we may be informed. And is there any role for analogy by similarity in this or not?

 The truth is that this question, and its statement that the Book (of Allah) and the Sunnah have not made it clear is a mistake on his part. What is correct is that it is not clear to him from the Book (of Allah) and the Sunnah. As for the Book (of Allah) and the Sunnah, Allah has made everything clear therein, for the Noble Qur'an says:

﴿يَبَيِّنَا لِكُلِّ شَيْءٍ﴾

“as an exposition of everything, a guidance,”^[1]

Believing in the Sunnah and implementing its rulings is a part of believing in the Qur'an and it completes, perfects and explains that which it summarizes, and it explains that which is unclear.

^[1] *An-Nahl* 16:89.

In the Qur'ān and in the Sunnah there is a cure, light, guidance and uprightness for whomsoever holds fast to them, and there is no problem that occurs except that a solution and an explanation for it is found in the Qur'ān and Sunnah. However, some matters are clear by way of specification, and some are clear by way of rules and general regulations. Then (there is the fact that) the people differ greatly in this: They differ in knowledge, they differ in understanding and likewise, their comprehension of what is in the Qur'ān and the Sunnah differs according to their level of faith and fear of Allah. The stronger one's faith in Allah, the Almighty, the All-Powerful and one's acceptance of what the Qur'ān and Sunnah say, and the greater one's fear of Allah, the Almighty, the All-Powerful in obeying Him, the stronger becomes one's knowledge of the rulings which are contained in the Qur'ān and Sunnah.

I say: Verily, in the Qur'ān and the Sunnah there is guidance, knowledge, light and a solution for all problems and verily, their method and order are the most perfect, most beneficial and a most correct order for the creatures. Whoever refers to man-made rules and laws, which are often wrong, then he is in manifest error. If they are in agreement with what is correct, they are only correct inasmuch as they agree with the Qur'ān and Sunnah. I say to this brother that there are regulations regarding what is forbidden, and I say that the basic principle is that all the things Allah, Most High has created in this world are permissible for us, including animals and nonliving, according to the Words of Allah, Most High:

﴿هُوَ الَّذِي خَلَقَ لَكُمْ مَا فِي الْأَرْضِ جَمِيعًا﴾

"He it is Who created for you all that is on earth."^[1]

This is general, His creation is for us to use as food, drink and to utilize within the limits set by Allah and His Messenger ﷺ.

This is a general, and comprehensive rule taken from the Book (of

^[1] Al-Baqarah 2:29.

Allah) and also from the Sunnah. The Messenger of Allah ﷺ said:

«وَمَا سَكَتَ عَنْهُ فَهُوَ عَفْوٌ»

“And whatever He was silent about, it is excused.”^[1]

Based upon this, we shall now look at the forbidden things, which include dead animals, according to the Words of Allah, Most High:

﴿إِنَّمَا حَرَّمَ عَلَيْكُمُ الْمَيْتَةَ﴾

“He has forbidden you only the Maitah (dead animals)”^[2]

And included among them is blood poured forth, according to the Words of Allah, Most High:

﴿قُلْ لَا أَجِدُ فِي مَا أُوحِيَ إِلَيَّ مُحَرَّمًا عَلَى طَاعِمٍ يَطْعَمُهُ إِلَّا أَنْ يَكُونَ مَيْتَةً أَوْ دَمًا مَسْفُوحًا﴾

“Say (O Muhammad ﷺ): “I find not in that which has been revealed to me anything forbidden to be eaten by one who wishes to eat it unless it be Maitah (a dead animal) or blood poured forth (by slaughtering or the like),”^[3]

And included among them is the meat of the pig, according to the Words of Allah, Most High:

﴿أَوْ لَحْمَ خِنزِيرٍ﴾

“or the flesh of swine (pork);”^[4]

And these three things were only forbidden because they are impure. Because His Words

﴿فَإِنَّهُ﴾

“for it surely”

[1] Al-Baihaqi no. 10/12 and Abu Dawud no. 3800.

[2] Al-Baqarah 2:173.

[3] Al-An'am 6:145.

[4] Al-An'am 6:145.

i.e., the forbidden thing which the Messenger ﷺ found — is impure; and the pronoun (it) does not refer to the meat of the pig only, as some of the scholars said, because the exception

﴿إِلَّا أَنْ يَكُونَ﴾

“unless it be”

i.e., that which is eaten be

﴿مَيْتَةً أَوْ دَمًا مَسْفُوحًا أَوْ لَحْمَ خِزِيرٍ فَإِنَّهُ﴾

“*maitah* (a dead animal) or blood poured forth or the flesh of swine (pork); for it surely”^[1]

i.e., what is eaten from the dead animals, blood poured forth and the meat of the pig

﴿رَجَسٌ﴾

“is impure”.

Also, included is the domestic donkey; it has been confirmed in the Two *Sahihs* from the Prophet ﷺ, that he ordered Abu Talhah, may Allah be pleased with him, to announce: “Verily, Allah and His Messenger forbid you (to eat) it (i.e., the meat of the donkey), because it is impure.”

Also included among the forbidden animals are every beast of prey with fangs. That is, every predatory animal with fangs that it uses to tear the flesh of its prey, such as the wolf, the dog and the like.

Also included is every bird possessing talons, such as the hawk, the eagle, the falcon and the like.

Also included is that which is born of an animal which may be eaten and one which may not, such as the mule, because the mule is born of the donkey when it mates with a female horse, and the horse is permissible, while the donkey is forbidden. So when something is born of that which may be eaten and that

^[1] *Al-An'am* 6:145.

which may not, the forbidden portion overcomes the permissible portion and it becomes forbidden.

These matters are mentioned — all praise and thanks be to Allah — in the Sunnah in detail and also in the sayings of the scholars, and the matter is clear.

If the matter is unclear to you, then refer to the aforementioned fundamental principle, which is that the basic rule is permissibility, according to the Words of Allah, Most High:

﴿هُوَ الَّذِي خَلَقَ لَكُمْ مَا فِي الْأَرْضِ جَمِيعًا ثُمَّ أَسْتَوَىٰ إِلَى السَّمَاءِ فَسَوَّاهُنَّ سَبْعَ سَمَوَاتٍ وَهُوَ بِكُلِّ شَيْءٍ عَلِيمٌ﴾^(٢٩)

“He it is Who created for you all that is on earth. Then He rose over (Istawā) towards the heaven and made them seven heavens and He is the All-Knower of everything.”^[1]

As for similarity, some scholars have resorted to it, saying that if we do not know the ruling on a certain animal — i.e., is it permissible or not — then we base it upon the ruling of something which is similar to it. But what is apparent from the evidences is that what is forbidden is known, either by its type, or by the rules which we have indicated, as the Prophet ﷺ forbade:

«كُلُّ ذِي نَابٍ مِنَ السَّبَاعِ وَكُلُّ ذِي مِخْلَبٍ مِنَ الطَّيْرِ»

“every animal possessing fangs and every bird which possesses talons.”^[2]

Ibn ‘Uthaimin

Which Land and Sea Creatures are Permissible to Eat

Q I would like to know which land animals are permissible to eat, for I have heard it is permissible to eat the turtle for example, and the pigeon and the frog.

^[1] Al-Baqarah 2:29.

^[2] Muslim no. 1934.

A First of all, it is necessary for you to know the basic principle regarding foods' permissibility — except those things for which there is evidence of prohibition. If we are in doubt about whether something is permissible or forbidden, then it is permissible until it becomes clear that it is prohibited. The evidence for this is the in the Words of Allah, Most High:

﴿هُوَ الَّذِي خَلَقَ لَكُمْ مَا فِي الْأَرْضِ جَمِيعًا﴾

"He it is Who created for you all that is on earth."^[1]

For His Words: "He it is Who created for you all that is on earth" includes everything on the earth, including animals, plants, clothing and other things. And Allah, Most High says:

﴿وَسَخَّرَ لَكُم مَّا فِي السَّمَوَاتِ وَمَا فِي الْأَرْضِ جَمِيعًا مِّنْهُ إِنَّ فِي ذَلِكَ لَآيَاتٍ لِّقَوْمٍ

يَتَفَكَّرُونَ﴾

"And has subjected to you all that is in the heavens and all that is in the earth; it is all as a favour and kindness from Him. Verily, in it are signs for a people who think deeply."^[2]

And the Prophet ﷺ said:

﴿وَمَا سَكَتَ عَنْهُ فَهُوَ عَفْوٌ﴾

"And whatever He was silent about, it is excused."^[3]

And the Prophet ﷺ said:

﴿إِنَّ اللَّهَ فَرَضَ فَرَائِضَ فَلَا تُضَيِّعُوهَا وَحَدَّ حُدُودًا فَلَا تَعْتَدُوهَا وَنَهَى عَنْ أَشْيَاءَ فَلَا تَنْتَهِكُوهَا وَسَكَتَ عَنْ أَشْيَاءَ رُخْصَةً لَّكُمْ لَيْسَ بِنِسْيَانٍ فَلَا تَبْحَثُوا عَنْهَا﴾

"Verily Allah has obligated the obligations — so do not neglect them. And He has limited the limits — so do not transgress them."

[1] Al-Baqarah 2:29.

[2] Al-Jathiyah 45:13.

[3] Al-Baihaqi no. 10/12 and Abu Dawud no. 3800.

And His silence about things is from His mercy, not forgetfulness, so do not investigate them."^[1]

According to this principle, all animals are permissible until the evidence of prohibition is established.

The forbidden things include domestic donkeys, according to the *Hadith* of Anas bin Malik, may Allah be pleased with him, who said: "On the day of (the Battle of) Khaibar, the Prophet ordered Abu Talhah, may Allah be pleased with him, to announce: 'Verily, Allah and His Messenger forbid for you the meat of the domestic donkey, for it is impure.'"

Also included among these things is every predatory animal which has fangs that it uses to tear the flesh of its prey, such as the wolf, the lion, the elephant and other such animals.

Also included is every bird having talons with which it hunts, such as the eagle, the hawk, the falcon, the kite and other such birds. This is because the Prophet ﷺ forbade eating every predatory animal possessing fangs and every bird possessing talons.

Also included are those animals which the Islamic Law has ordered to be killed or forbidden to be killed. As for those creatures which the Islamic Law has ordered to be killed, they cannot be eaten because that which the Islamic Law has ordered to be killed is by its nature harmful, so if a person eats of it, he might wind up with something harmful from it, and it might result in him harming people.

As for (eating) that, which the Lawgiver has forbidden to be killed, it is due to the obligation to treat it kindly, since the Lawgiver forbids killing it. Among those creatures He ordered killing are the crow and the kite. And among those creatures whose killing He forbade are the ant, the bee, the hoopoe and the shrike.

Also included among them is that which was born of an animal which may be eaten and one which may not be eaten. For

^[1] Ad-Darqutni no. 4/199 and Al-Baihaqi no. 10/12.

example the mule. This is because one of its parents was permissible and the other forbidden. In this case the forbidden portion overrides the permissible portion, since it is not possible to leave the forbidden portion without avoiding the permissible portion. So it is necessary to abstain from it.

Also included in them is that which feeds off carrion, such as the vulture, the *Rakhm*^[1] and other similar creatures.

These are seven types which the Islamic Law has declared to be forbidden. Although scholars have differed regarding some of them, these things are to be referred back to their basic principle.

As for sea creatures, all of them are permissible, both large and small, based upon the Words of Allah, Most High:

﴿أَحَلَّ لَكُمْ صَيْدَ الْبَحْرِ وَطَعَامَهُ مَتَاعًا لَكُمْ وَلِلسَّيَّارَةِ﴾

“Lawful to you is (the pursuit of) water game and its use for food — for the benefit of yourselves and those who travel,”^[2]

Its game is what is caught alive and its food is what is found dead. It was explained thus on the authority of Ibn ‘Abbas, may Allah be pleased with them, and others. Also the Prophet ﷺ said regarding the sea:

«هُوَ الطَّهُّورُ مَأْوُهُ الْحِلُّ مَيْتَتُهُ»

“Its water is pure and its dead are permissible.”^[3]

There is no exceptions to sea creatures — all that is in it is permissible according to the generality of the Verse and the *Hadith*. Some of the scholars have made an exception for the frog, the crocodile and the snake, but the most authoritative view is that everything that does not live except in the sea is permissible. And Allah knows best.

Ibn ‘Uthaimin

[1] *Rakhm*: Egyptian vulture.

[2] *Al-Ma'idah* 5:96.

[3] Abu Dawud no. 83 and At-Tirmithi no. 69.

The Ruling on Eating the Turtle, the Crocodile and the Hedgehog

Q Is it permissible to eat the following creatures: The turtle, the hippopotamus, the crocodile and the hedgehog, or is it forbidden to eat them?

A As for the hedgehog, it is permissible to eat, according to the generality of the Verse:

﴿قُلْ لَا أُحَدِّثُ فِي مَا أُوحِيَ إِلَيَّ مُحَرَّمًا عَلَى طَاعِمٍ يَطْعَمُهُ إِلَّا أَنْ يَكُونَ مَيْتَةً أَوْ دَمًا مَسْفُوحًا أَوْ لَحْمَ خِنْزِيرٍ فَإِنَّهُ رِجْسٌ أَوْ فِسْقًا أُهِلَّ لِغَيْرِ اللَّهِ بِهِ﴾

“Say (O Muhammad ﷺ): “I find not in that which has been revealed to me anything forbidden to be eaten by one who wishes to eat it, unless it be Maitah (a dead animal) or blood poured forth (by slaughtering or the like), or the flesh of swine (pork); for that surely, is impure or impious (unlawful) meat (of an animal) which is slaughtered as a sacrifice for others than Allāh (or has been slaughtered for idols, or on which Allāh’s Name has not been mentioned while slaughtering).^[1]”

And, because the basic principle is permissibility, unless some evidence to make unlawful is confirmed.

As for the turtle, a number of the scholars have said that is permissible to eat it even if it was not slaughtered, based upon the generality of the Words of Allah, Most High:

﴿أُحِلَّ لَكُمْ صَيْدُ الْبَحْرِ وَطَعَامُهُ﴾

“Lawful to you is (the pursuit of) water game and its use for food”^[2]

And, the saying of the Prophet ﷺ:

﴿هُوَ الطَّهَوْرُ مَأْوُهُ الْحِلُّ مَيْتَتُهُ﴾

^[1] Al-An’am 6:145.

^[2] Al-Ma’idah 5:96.

"Its water is pure and its dead are permissible."^[1]

But it is better to slaughter it in order to avoid differing.

As for the crocodile, it has been said that it may be eaten like fish according to the generality of the aforementioned Verse and *Hadith*, and it has been said that it may not be eaten because it is one of those predators possessing fangs, but the most authoritative view is the former.

And as for the hippopotamus, it may be eaten according to the generality of the aforementioned Verse and *Hadith*, due to the absence of any objection to it, and because the land horse is permissible according to evidence, therefore the water horse (hippopotamus) is more worthy to be deemed permissible.

The Permanent Committee

The Ruling on Eating Hedgehogs



Is it permissible to eat hedgehogs or is it forbidden?



The hedgehog, known as *An-Nees*, is a small four-legged creature with spines which grow in a tangled mass over it. It is permissible to eat it, because it does not possess fangs, nor does it eat carrion, it lives only on grasses, like the rabbit and other such creatures. The basic principle in such matters as this is permissibility and license until some proof removing that permissibility is confirmed. As for the *Hadith* which was narrated by Abu Dawud from the Prophet ﷺ in which he said that the hedgehog is one of the obnoxious things, it is a weak *Hadith* according to the scholars.

And Allah is the Granter of success. And may peace and blessings be upon His Messenger, Muhammad and upon his family and Companions.

The Permanent Committee

^[1] Abu Dawud no. 83 and At-Tirmithi no. 69.

The Ruling on *An-Nees*

Q (What is) the ruling on *An-Nees*, the well known animal?

A The scholars — may Allah have mercy on them - have differed regarding its ruling. Some of them declared it permissible, while others declared it forbidden. The more correct of the two opinions is that it is permissible, because the basic principle regarding animals is permissibility. No animal is forbidden except those forbidden by the Islamic Law. And, nothing has been mentioned in the Islamic Law which proves that this animal is forbidden. It eats plants, like the rabbit and the gazelle and it does not possess flesh tearing fangs. So there remains no cause for its prohibition. This animal is a type of hedgehog that is also known as *Ad-Duldul* and its skin is covered with long spines.

Ibn ‘Umar, may Allah be pleased with them, was asked about the hedgehog and he recited the Words of Allah, Most High:

﴿لَا أَحَدٌ فِي مَا أُوْحِيَ إِلَيَّ مُحَرَّمًا عَلَى طَاعِمٍ يَطْعَمُهُ إِلَّا أَنْ يَكُونَ مَيْتَةً أَوْ دَمًا مَسْفُوحًا أَوْ لَحْمَ خَنْزِيرٍ﴾

“I find not in that which has been revealed to me anything forbidden to be eaten by one who wishes to eat it, unless it be Maitah (a dead animal) or blood poured forth (by slaughtering or the like), or the flesh of swine (pork).”^[1]

An old man with him said: “Abu Hurairah, may Allah be pleased with him, narrated from the Prophet ﷺ that he said:

«خَبِيثَةٌ مِنَ الْخَبَائِثِ»

“Verily, it is an obnoxious thing from among the obnoxious things.”^[2]

^[1] *Al-An'am* 6:145.

^[2] Abu Dawud no. 3799 and Ahmad 2/318.

Then Ibn ‘Umar, may Allah be pleased with them, said: “If the Messenger of Allah ﷺ said that, then it is as he said.”

So it is plain from his statement, may Allah be pleased with him, that he was unaware that the Messenger ﷺ had said anything regarding the matter of the hedgehog. It is also clear from his words that he did not believe this old man. And this *Hadith* was declared weak by Al-Baihaqi as well as other scholars, due to the fact that the aforementioned old man is unknown. Therefore, it is clear from what we have said that the opinion that it is permissible is correct, and the opinion that it is forbidden is weak. And Allah, Most Glorified, Most High knows best.

Ibn Baz

The Ruling on Eating the Hyena



What is the ruling on smoking and on eating the hyena?



Smoking is forbidden, because it is obnoxious and those who possess a good and unimpaired intellect instinctively hate it. Allah, Most Glorified, Most High says:

﴿الَّذِينَ يَتَّبِعُونَ الرَّسُولَ النَّبِيَّ الْأُمِّيَّ الَّذِي يَجِدُونَهُ مَكْنُوبًا عِنْدَهُمْ فِي
التَّوْرَةِ وَالْإِنْجِيلِ يَأْمُرُهُمْ بِالْمَعْرُوفِ وَيَنْهَاهُمْ عَنِ الْمُنْكَرِ وَيُحِلُّ لَهُمُ
الطَّيِّبَاتِ وَيُحَرِّمُ عَلَيْهِمُ الْخَبَائِثَ وَيَضَعُ عَنْهُمْ إِصْرَهُمْ وَالْأَغْلَالَ الَّتِي كَانَتْ
عَلَيْهِمْ فَاَلَّذِينَ آمَنُوا بِهِ وَعَزَّرُوهُ وَنَصَرُوهُ وَاتَّبَعُوا النُّورَ الَّذِي أُنْزِلَ مَعَهُ
أُولَٰئِكَ هُمُ الْمُفْلِحُونَ ﴿٥٧﴾﴾

“Those who follow the Messenger, the Prophet who can neither read nor write (i.e., Muhammad ﷺ) whom they find written about in the Taurāt (Torah) (Deut, xviii 15) and the Injil (Gospel) (John, xiv 16) with them, — he commands them for Al-Ma‘rūf (i.e., Islāmic Monotheism and all that Islām has ordained); and forbids them from Al-Munkar (i.e., disbelief, polytheism of all kinds, and all that Islām has forbidden); he

allows them as lawful *At-Tayyibāt* (i.e., all good and lawful as regards things, deeds, beliefs, persons and foods), and prohibits them as unlawful *Al-Khabā'ith* (i.e., all evil and unlawful as regards things, deeds, beliefs, persons and foods), he releases them from their heavy burdens (of Allāh's Covenant with the Children of Israel), and from the fetters (bindings) that were upon them. So those who believe in him (Muhammad ﷺ), honour him, help him, and follow the light (the *Qur'ān*) which has been sent down with him, it is they who will be successful.^[1]

And He, Most Glorified, Most High says:

﴿يَسْأَلُونَكَ مَاذَا أَحَلَّ لَهُمْ قُلْ أَحَلَّ لَكُمْ الْطَّيِّبَاتِ﴾

"They ask you (O Muhammad ﷺ) what is lawful for them (as food). Say: "Lawful unto you are *At-Tayyibāt* [all kinds of *Halāl* (lawful-good) foods which Allāh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]."^[2]

And (it is forbidden) because it causes weakness.

In a *Hadith* narrated by Ahmad and Abu Dawud on the authority of Umm Salamah, may Allah be pleased with her, the Messenger of Allah ﷺ forbade all intoxicants and all those things which cause weakness. And (it is also forbidden) due to the medical confirmation of its harm to one's health. It is well known that when it is confirmed that something is harmful, then it is forbidden to use it.

The Messenger of Allah ﷺ forbade wasting money, and spending on such things is considered to be a waste of money. It has been narrated by Al-Bukhari and Muslim — may Allah be pleased with them both — that the Messenger of Allah ﷺ said:

«إِنَّ اللَّهَ حَرَّمَ عَلَيْكُمْ عُقُوقَ الْأُمَّهَاتِ وَمَنْعًا وَهَاتِ، وَوَادَ الْبَنَاتِ وَكَرِهَ لَكُمْ قِيلَ وَقَالَ وَكَثْرَةَ السُّؤَالِ وَإِضَاعَةَ الْمَالِ»

[1] *Al-A'raf* 7:157.

[2] *Al-Ma'idah* 5:4.

"Verily, Allah has forbidden you from being disobedient to mothers, burying daughters alive, withholding the right of others and demanding that (which is not one's legitimate right). And He disapproved of three things for you: gossip, persistent questioning and wasting of wealth."^[1]

And disapproval here means prohibition.

As for eating the hyena, it is permissible, according to the narration of Imam Ahmad and the compilers of the *Sunan*, on the authority of 'Abdur-Rahman bin 'Abdullah bin 'Umarah; he said: "I said to Jabir, 'Is the hyena game?' He said: 'Yes.' I said, 'May it be eaten?' He said, 'Yes.' 'Did the Messenger of Allah ﷺ said it?' He said 'Yes.'"

Allah is the Granter of success. And may peace and blessings be upon Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Killing the Frogs and Eating them

Q Is it permissible to kill the frog? And is the frog considered to be a land animal or a water creature? If it is a land animal, is it permissible to eat it without slaughtering it? People do not slaughter it, and it is not possible to slaughter it, because it has no neck. They only cut off its legs to eat and throw away the rest. And if it is a water creature, then what is the objection to it being included in those things which are caught in the sea (such as fish, crabs etc.) which Allah has made permissible? Some of the scholars say that all of the *Hadiths* related regarding the prohibition of killing the frog are weak and none of them are authentic; what do you say?



Scholars have disagreed regarding the ruling on eating the frog. Some of them permitted eating it, while others

^[1] Al-Bukhari no. 5975 and Muslim no. 593, 1715.

forbade it. Malik bin Anas permitted it as well as those scholars who agreed with him. And those who forbade eating it include: Imam Ahmad and those of the scholars who agreed with him. Those who permitted it cited as evidence the generality of the Words of Allah, Most High:

﴿أَحَلَّ لَكُمْ صَيْدَ الْبَحْرِ وَطَعَامَهُ مَتَاعًا لَكُمْ وَلِلسَّيَّارَةِ﴾

“Lawful to you is (the pursuit of) water game and its use for food — for the benefit of yourselves and those who travel,^[1]

And, the saying of the Prophet ﷺ:

«هُوَ الطَّهْرُ مَاؤُهُ الْحِلُّ مَيْتَتُهُ»

“Its water is pure and its dead are permissible.”^[2]

And this generality includes the frog, because it is included in water game.

Those who forbade eating it argue with the *Hadith* narrated by Abu Dawud in (the chapter on) Medicine and Manners, and by An-Nasa’i in (the chapter on) Game, on the authority of Ibn Abi Thinh, from Sa’id bin Khalid from Sa’id bin Al-Musayyib, from ‘Abdur-Rahman bin ‘Uthman Al-Qurashi that a doctor asked the Messenger of Allah ﷺ about using the frog as a medicine and he forbade killing it.

It was also narrated by Ahmad, Ishaq bin Rahuwyah, Abu Dawud At-Tayalisi in their *Musnads*, and Al-Hakim in *Al-Mustadrak* in (the chapter on) Virtues, on the authority of ‘Abdur-Rahman bin ‘Uthman At-Taimi and he repeated it in (the chapter on) Medicine. He said that its chain of narrators is authentic, but it was not narrated by Al-Bukhari and Muslim. And Al-Baihaqi said: “It is the strongest of what has been narrated concerning the frog.”

And in this *Hadith* there is evidence for the prohibition of eating

^[1] *Al-Ma’idah* 5:96.

^[2] Abu Dawud no. 83 and At-Tirmithi no. 69.

the frog, because the Prophet ﷺ forbade killing it, and a prohibition of killing an animal is either because it is unlawful, like the human being, or because it is unlawful to eat it, like the frog, because it is not (in itself) prohibited. So we attribute the prohibition to eating it.

But this *Hadith* has a weakness, because it contains Sa'id bin Khalid, who was declared weak by An-Nasa'i. But the response to this is that Ibn Hibban declared him to be reliable and Ad-Daraqutni said: "He is from Al-Madinah and he may be cited as evidence."

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Eating the Snail and the Crocodile



Are the snail and crocodile lawful to eat?



Malik and a number of other scholars, and Ash-Shafi'i, permitted eating the snail and the crocodile, because they are from the game of the sea and so they are included in the generality of the Words of Allah, Most High:

﴿أَحَلَّ لَكُم مَّا فِي الْبَحْرِ وَطَعَامَهُ مَتَاعًا لَّكُمْ وَلِلَّذِينَ تَرْكَبُونَ﴾

"Lawful to you is (the pursuit of) water game and its use for food — for the benefit of yourselves and those who travel,"^[1]

Abu Hanifah and a number of other scholars forbade them because they are predators,^[2] so they are included in the generality of the Prophet's prohibition of eating any predator with fangs.


^[1] *Al-Ma'idah* 5:96.

^[2] At least the crocodile falls under that category.

And the question is one requiring *Ijtihad* and the matter is a wide one, so it is more prudent not to eat them, bearing in mind the difference of opinion and the preponderance of the likelihood that it is not allowed.

The Permanent Committee

The Meat and the Fat of the Pig are Prohibited

 Allah, Most High says:

﴿حُرِّمَتْ عَلَيْكُمْ أَلْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخَنزِيرِ﴾

“Forbidden to you (for food) are: *Al-Maitah* (the dead animals — cattle — beast not slaughtered), blood, the flesh of swine,”^[1]

Should I understand from this that other than its meat is permissible, such as its oil and its fat for example? And if its oil and its fat are forbidden, then what is the explanation of the Words of Allah, Most High:

﴿وَلَحْمُ الْخَنزِيرِ﴾

“and the flesh of swine”

Since He did not say: “and the swine”?



There is an absolute consensus among the scholars — may Allah have mercy on them — that all of the swine — including its meat and its fat are forbidden. They cited this Noble Verse and others bearing the same meaning as evidence. And they said that it was only forbidden due to its harmful nature, and that harmfulness includes its meat and its fat; but Allah, Most Glorified, Most High mentioned the meat because it is what is intended, and the remainder follows it.

As evidence of this, they also cited the *Hadith* from the Prophet ﷺ confirmed in the Two *Sahihs* in which it is reported that he said on the day of the Conquest of Makkah:

^[1] *Al-Ma'idah* 5:3.

«إِنَّ اللَّهَ وَرَسُولَهُ حَرَّمَ بَيْعَ الْخَمْرِ وَالْمَيْتَةِ وَالْخِنْزِيرِ وَالْأَصْنَامِ»

“Verily, Allah and His Messenger have forbidden you from selling alcohol, dead meat, swine and idols.”^[1]

So he has specified the swine, without mentioning the meat, which proves the general nature of the prohibition.

Ibn Baz

The Wisdom Behind the Prohibition of Pork

Q What is the wisdom behind the prohibition of eating pork?

A Allah’s Knowledge encompasses all things. His Mercy, Wisdom and Justice extend over everything. So He, Most Glorified, knows what is best for His creatures, He is Merciful to them, and He is Most Wise in His Creation, His Disposal (of their affairs) and His Legislation and He has commanded them to do what will make them happy in the life of this world and in the Hereafter. He permits *At-Tayyibat* (all things good and pure) which benefit them and He has forbidden *Al-Khaba’ith* (all evil and impure things) which harm them. And Allah has forbidden eating the swine and informed us that it is unclean; Allah, Most High says:

﴿قُلْ لَا آجِدُ فِي مَا أُوحِيَ إِلَيَّ مُحَرَّمًا عَلَى طَاعِمٍ يَطْعَمُهُ إِلَّا أَنْ يَكُونَ مَيْتَةً أَوْ دَمًا مَسْفُوحًا أَوْ لَحْمَ خِنْزِيرٍ فَإِنَّهُ رِجْسٌ أَوْ فِسْقًا أُهِلَّ لِغَيْرِ اللَّهِ بِهِ﴾

“Say (O Muhammad ﷺ): “I find not in that which has been revealed to me anything forbidden to be eaten by one who wishes to eat it, unless it be *Maitah* (a dead animal) or blood poured forth (by slaughtering or the like), or the flesh of swine (pork); for that surely, is impure or impious (unlawful) meat (of an animal) which is slaughtered as a sacrifice for others than Allāh (or has been slaughtered for idols, or on which Allāh’s Name has not been

[1] Al-Bukhari no. 2236 and Muslim no. 1581.

mentioned while slaughtering).”^[1]

So it is one of the *Khaba’ith* — and Allah, Most High has said:

﴿وَيُحَرِّمُ عَلَيْهِمُ الْخَبَائِثَ﴾

“and prohibits them as unlawful *Al-Khabā’ith* (i.e. all evil and unlawful as regards things, deeds, beliefs, persons and foods),”^[2]

It is well known that its food consists of rubbish and unclean things, and that this is the most agreeable food to it — it pursues it and seeks it out. The experts have said that eating it (i.e., pork) causes worms in the stomach and intestines and that it decreases jealousy and self-respect, and eliminates modesty and chastity, and it has other harmful effects, such as indigestion. It also prevents some of the organs from secreting enzymes which aid in digestion of food. If what they say is correct, then these things are some of the harms and evils that it was forbidden for. And if what they say is not correct, then it is incumbent upon the rational person to trust in Allah’s Information and His Judgement, that it is unclean, and to believe in the prohibition of eating it, and to surrender the decision about that to Allah. For it is He, Most Glorified Who created it, so He knows best about what He has put in it:

﴿أَلَا يَعْلَمُ مَنْ خَلَقَ وَهُوَ اللَّطِيفُ الْخَبِيرُ﴾

“Should not He Who has created know? And He is the Most Kind and Courteous (to His slaves), All-Aware (of everything).”^[3]

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

^[1] *Al-An’am* 6:145.

^[2] *Al-A’raf* 7:157.

^[3] *Al-Mulk* 67:14.

The Pig and its Oil

To His Eminence Shaikh ‘Abdul-‘Aziz bin ‘Abdullah bin Baz

All praise and thanks be to Allah, and may peace and blessings be upon the Messenger of Allah and upon his family and Companions. As for what follows:

Recently, I reviewed an article entitled: “The Pig and its Oil” written by ‘Isam ‘Abdul-Badi’ in which he — may Allah grant him success — said: “A matter which occupies the mind of every Muslim who travels to Europe and America for whatever purpose is how is it possible for him to know if the food which is given to him or which he buys is free from pig oil, which is used extensively in Western societies, and how can he guarantee that what he eats is in accordance with the Islamic Law and the Muhammadan Sunnah?” He said: “So what can most of them do in these circumstances? This question is extremely important to a large number of people who are forced by circumstance to live in Western societies — whether for the purpose of work or study — and we turn to His Eminence, *Shaikh* ‘Abdul-‘Aziz Ibn ‘Abdullah bin Baz, the President for the Administration of Scientific Researches, Religious Verdicts, Preaching and Guidance, in order to give rest to our many sons who are sent abroad and who have many questions regarding this matter. In fact, some of them have voiced the opinion that their situation is one of necessity, and that necessity makes prohibited things permissible. Or is this something which the Islamic Law does not permit and are there solutions other than resorting to a ruling of necessity?”

I thank the brother who wrote this for his attention to this problem, and his quest for a solution to it, and I would like to reply to his question with a brief statement and I ask Allah that he benefits from it; I say:

Firstly: There is no doubt that a student who is sent abroad to study, encounters many problems with his food and drink, his

coming and going, and his performance of the acts of worship which Allah has enjoined upon him. In addition to this, great dangers are feared for him, since the young man is presented with trials and temptations and those who would lead him astray, and those who would mock him, and the armies of the Western and Eastern systems. None is immune from these things except those whom Allah has granted His Mercy. For this reason, it is not advisable for the Muslim student to abandon his studies in his own country and travel abroad where he leaves himself open to grave dangers and great temptations.

However, if the country required that certain people go abroad in order to study particular knowledge which is not available in the Kingdom nor in any other Muslim country, in that case a group of rational, religious people who understand the rulings of Islam must be chosen. Then they must apply themselves to their studies wherever they are, while remaining cautious, vigilant and maintaining strict supervision and follow-up. At the end of these studies, they must return immediately to their country.

Secondly: Verily, Allah, Most Glorified, Most High has full knowledge of the situation of His creatures and He is Most Aware of what is beneficial to them and what is harmful to them. He has revealed to His servant and His Messenger, Muhammad, the Law of Islam which brought every goodness and warned against every evil. And He, Most Glorified has prohibited the forbidden things because of the harm that they would cause to the worshipper. Some of these harms they are aware of, and some of them they are not.

Among those forbidden things is swine flesh, whose prohibition is proven by the Book (of Allah), the Sunnah and the consensus of the Muslim scholars; Allah, Most High says:

﴿إِنَّمَا حَرَّمَ عَلَيْكُمُ الْمَيْتَةَ وَالدَّمَ وَلَحْمَ الْخِنْزِيرِ﴾

“He has forbidden you only the Maitah (dead animals), and blood, and the flesh of swine,”^[1]

^[1] Al-Baqarah 2:173, .

And He, Most High says:

﴿قُلْ لَا آجِدُ فِي مَا أُوحِيَ إِلَيَّ مُحَرَّمًا عَلَى طَاعِمٍ يَطْعَمُهُ إِلَّا أَنْ يَكُونَ مَيْتَةً أَوْ دَمًا مَسْفُوحًا أَوْ لَحْمَ خِنزِيرٍ فَإِنَّهُ رِجْسٌ أَوْ فِسْقًا أُهِلَّ لِغَيْرِ اللَّهِ بِهِ﴾

“Say (O Muhammad ﷺ): ‘‘I find not in that which has been revealed to me anything forbidden to be eaten by one who wishes to eat it, unless it be Maitah (a dead animal) or blood poured forth (by slaughtering or the like), or the flesh of swine (pork); for that surely, is impure or impious (unlawful) meat (of an animal) which is slaughtered as a sacrifice for others than Allāh (or has been slaughtered for idols, or on which Allāh’s Name has not been mentioned while slaughtering).’’^[1]

And, in the *Hadith* agreed upon by Al-Bukhari and Muslim:

«إِنَّ اللَّهَ وَرَسُولَهُ حَرَّمَ بَيْعَ الْخَمْرِ وَالْمَيْتَةِ وَالْخِنْزِيرِ وَالْأَصْنَامِ»

“Verily Allah and His Messenger have prohibited selling alcohol, dead meat, swine and idols.”^[2]

So the Qur’ān and the Sunnah prove the prohibition of swine flesh. Due to this, the scholars are in full agreement on the matter. One of the scholars — may Allah have mercy on them — said: “As for the pig, the scholars are unanimous on the prohibition of every part of it.” And Allah, Most High has only forbidden *Al-Khaba’ith* due to some tremendous wisdom known to Him, even if that is hidden from others. Although some of the secrets and wisdom behind Allah’s prohibition of certain things may be clear to some of His creatures, those which are hidden from them are more.

The wisdom behind the prohibition of the swine — and Allah knows best — is the filth and impurity that are typical of it. This is accompanied by dangers and diseases, both physical and mental. This is why its favorite foods are rubbish and impure things, and it is harmful in all regions, especially in the hot ones,

^[1] *Al-An’am* 6:145.

^[2] *Al-Bukhari* no. 2236 and *Muslim* no. 1581.

as has been confirmed by experience. Eating its meat is one of the reasons for the presence of a unique and deadly worm. And it is said that it has a detrimental effect on modesty and self-respect, and the people of the countries in which pork is eaten are a testimony to this. Modern medicine has uncovered many facts which confirm that many of the people who eat pork are afflicted by diseases for which there is no cure; and although advanced modern medicine has managed to identify many dangers from eating pork, it may well be that the hidden dangers which medicine has not yet identified are many more than these.

Thirdly: Eating permissible and good foods has a great effect in purifying the heart, having one's supplication answered, and having one's acts of worship accepted. Just as eating the forbidden prevents these from being accepted. Allah, Most High says, concerning the Jews:

﴿أُولَٰئِكَ الَّذِينَ لَمْ يُرِدِ اللَّهُ أَنْ يُطَهِّرْ قُلُوبَهُمْ لَهُمْ فِي الدُّنْيَا خِزْيٌ وَلَهُمْ فِي الْآخِرَةِ عَذَابٌ عَظِيمٌ ﴿٤١﴾ سَمِعُونَ لَكَاظِمًا أَكَلُونَ لِلْشَّحَّةِ﴾

"Those are the ones whose hearts Allāh does not want to purify (from disbelief and hypocrisy); for them there is a disgrace in this world, and in the Hereafter a great torment. (They like to) listen to falsehood, to devour anything forbidden."^[1]

That is, the forbidden, so whoever possesses these characteristics, how will Allah purify his heart and why should He answer him? The Prophet ﷺ said:

«أَيُّهَا النَّاسُ إِنَّ اللَّهَ طَيِّبٌ لَا يَقْبَلُ إِلَّا طَيِّبًا وَإِنَّ اللَّهَ أَمَرَ الْمُؤْمِنِينَ بِمَا أَمَرَ بِهِ الْمُرْسَلِينَ»

"O people! Verily Allah is Tayyib (Good) and He accepts naught but the good and verily, Allah commanded the believers to do what He commanded the Messengers to do;"

^[1] Al-Ma'idah 5:41-42.

He, Most High says:

﴿يَا أَيُّهَا الرُّسُلُ كُلُوا مِنَ الطَّيِّبَاتِ وَاعْمَلُوا صَالِحًا﴾

“O (you) Messengers! Eat of the Tayyibāt [all kinds of Halāl foods which Allāh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables, fruits, etc.)]”^[1]

And He, Most High says:

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا كُلُوا مِن طَيِّبَاتِ مَا رَزَقْنَاكُمْ﴾

“O you who believe (in the Oneness of Allāh — Islāmic Monotheism)! Eat of the lawful things that We have provided you with,”^[2]

Then he spoke of the man who had journeyed long and whose hair was unkempt and his clothes covered in dust, who raised his hands to the heaven and said:

«يَا رَبِّ! يَا رَبِّ! وَمَطْعَمُهُ حَرَامٌ وَمَشْرَبُهُ حَرَامٌ وَمَلْبَسُهُ حَرَامٌ وَعُذِّي بِالْحَرَامِ فَإِنِّي يُسْتَجَابُ لهُ»

“O my Lord! O my Lord!” — while his food was unlawful, his drink was unlawful, his clothing was unlawful and he was fed with the unlawful, so why should his prayer be answered?”^[3]

Fourthly: Once the aforementioned information is known, it is an obligation upon the Muslim to fear Allah, Most Glorified, Most High and cease doing what is forbidden, and not to place himself in a position where he cannot obey Allah and abide by His Laws. It is not fitting for the Muslim to place himself in this kind of situation, then turn to the scholars and say: “I want a solution from Islam to this problem.” This is because the problem can only be solved by acting on Islam’s view in all areas. But ignoring a certain aspect or being careless regarding it and attempting to act upon one aspect only will profit nothing.

^[1] *Al-Mu’minun* 23:51.

^[2] *Al-Baqarah* 2:172.

^[3] *Muslim* no. 1015.

Fifthly: It is not permissible for the student who is sent abroad to eat any meat of the pig, or any other part of it, claiming that the situation is one of necessity, and that necessity makes the prohibited permissible. This claim is incorrect, for the student sent abroad is not compelled to go or to remain there, and he will not die if he does not eat pork. As for the other solutions which the questioner seeks, in addition to what has been mentioned, they emanate from fear of Allah, Most Glorified, Who says:

﴿وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مَخْرَجًا ۖ وَيَرْزُقْهُ مِنْ حَيْثُ لَا يَحْتَسِبُ﴾

“And whosoever fears Allāh and keeps his duty to Him, He will make a way for him to get out (from every difficulty). And He will provide him from (sources) he never could imagine.”^[1]

And one who is present sees that which one who is absent does not see. And how cheap are oils in the Muslim lands, so the one studying abroad may bring his needs with him from them or they may be sent to him, or a group of foreign students may get together and organize suitable lawful foods for themselves, such as fish and the like. And if the matter required that they slaughter for themselves and they found difficulty in doing that, then they must suffer it for the sake of pleasing Allah and to avoid falling into what is forbidden.

Finally, I repeat my thanks to the brother ‘Isam ‘Abdul-Badi’, who presented this problem. And I ask Allah that He grant success to the Muslims in obeying their Lord and adhering to His Law and acting upon His Judgements and avoiding the plots of His enemies. Verily, He is All-Hearing, Near and He, Most Glorified is the Guide to the Right Way. And may peace and blessings be upon our Prophet, Muhammad and upon all his family and Companions.

The Genreal President for the Adminstrations of Scientific Researches and Religious Verdicts,

‘Abdul-‘Aziz bin ‘Abdullah bin Baz

^[1] At-Talaq 65:2-3.

The Wisdom Behind the Prohibition of Swine Flesh

Q I live in Sweden and pork is offered in the restaurants. I have been faced with the question from some people: Why was pork prohibited? And what is the reason? And what is the evidence for this? I request a complete reply to this.

A Pork has been forbidden by Allah, Most Glorified, Most High in several places in His Book, and the Muslims are in complete agreement regarding its prohibition. And Allah, Most Glorified, Most High has made clear the wisdom behind its prohibition in His Words:

﴿قُلْ لَا أَجِدُ فِي مَا أُوحِيَ إِلَيَّ مُحَرَّمًا عَلَى طَاعِمٍ يَطْعَمُهُ إِلَّا أَنْ يَكُونَ مَيْتَةً أَوْ دَمًا مَسْفُوحًا أَوْ لَحْمَ خَنزِيرٍ فَإِنَّهُ رِجْسٌ﴾

“Say (O Muhammad ﷺ): “I find not in that which has been revealed to me anything forbidden to be eaten by one who wishes to eat it, unless it be Maitah (a dead animal) or blood poured forth (by slaughtering or the like), or the flesh of swine (pork); for that surely, is impure or impious (unlawful)”^[1]

So Allah, Most Glorified, Most High has explained the wisdom behind its prohibition, which is that it is *Rijs*, i.e., impure and it is harmful to man in his religion and in his body, and the Lord, the Almighty, the All-Powerful is the Creator and He knows the harms and benefits which exist in His creatures. So when Allah tells us that He has forbidden swine because it is impure, we know that this impurity is harmful to us in our religion and in our bodies. In that case, we say to every person who asks about the wisdom behind the prohibition of pork that it is because it is *Rijs*, i.e., impure, and harmful to the body and to one's religion.

It has been said that the character of this impure animal is that it has little jealousy. So that if a person eats it, his jealousy towards his *Mahrams* and his wife may be removed from him,

^[1] *Al-An'am* 6:145.

because a person may be affected by what he eats. Have you not seen the prohibition of the Prophet ﷺ of eating every predatory animal which possesses fangs and every bird which possesses talons? Because enmity and aggression are part of the nature of these predators and these birds. So it is feared that if a person eats them, he may acquire some of the characteristics. This is because man is affected by what he eats. So this is the wisdom behind the prohibition of pork.

This statement of ours to the person who does not believe in the Qur'an nor in the Rulings of Allah, we might also say to the person who believes in it — but in order to satisfy his heart and increase his certainty. And to the believer, simply because of the fact that this is the Ruling of Allah and His Messenger, it becomes the ultimate wisdom for him. Allah, Most High says:

﴿وَمَا كَانَ لِمُؤْمِنٍ وَلَا مُؤْمِنَةٍ إِذَا قَضَىٰ اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ﴾

"It is not for a believer, man or woman, when Allāh and His Messenger (ﷺ) have decreed a matter that they should have any option in their decision."^[1]

And He, Most High says:

﴿إِنَّمَا كَانَ قَوْلَ الْمُؤْمِنِينَ إِذَا دُعُوا إِلَى اللَّهِ وَرَسُولِهِ لِيَحْكُمَ بَيْنَهُمْ أَنْ يَقُولُوا سَمِعْنَا وَأَطَعْنَا وَأُولَٰئِكَ هُمُ الْمُفْلِحُونَ ﴿٥١﴾ وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ وَيَخْشَ اللَّهَ الَّذِي يَتَقَاتِلَ فَاُولَٰئِكَ هُمُ الْفَائِزُونَ ﴿٥٢﴾﴾

"The only saying of the faithful believers, when they are called to Allāh (His Words, the Qur'an) and His Messenger (ﷺ), to judge between them, is that they say: "We hear and we obey." And such are the successful (who will live forever in Paradise). And whosoever obeys Allāh and His Messenger (ﷺ), fears Allāh, and keeps his duty (to Him), such are the successful."^[2]

^[1] Al-Ahzab 33:36.

^[2] An-Nur 24:51-52.

When 'A'ishah, may Allah be pleased with her, was asked why it is that the menstruating woman has to make up for the fasting she has missed, but she does not have to make up for the prayers, she replied that the reason for that is the Command of Allah and His Messenger.

So the believer is convinced by the ruling of the Islamic Law, simply by it being confirmed that it is a ruling from Allah and His Messenger, and he submits to that and accepts it.

However, if we are addressing a person who is weak in faith, or a person who does not believe in Allah and His Messenger, then in that case, it is necessary to seek the wisdom and explain it.

Therefore, it is necessary for the student of (Islamic) knowledge at this time, when conviction is weak and there is much argument therein, to have knowledge regarding the juristic wisdom upon which the rulings are built, so that he may convince those who dispute with him with evidence and justification, so that no doubts remain with the contradictor or the rebel. And Allah is the One Who is asked.

Ibn 'Uthaimin

The Pig is an Unclean Animal



Why was pork forbidden to the Muslim?



The pig is an unclean animal; it lives in filth and it eats impure things, including human and animal excrement. This is acquired in its flesh, and the result of this is poor nutrition. Since this is its nature, there is no difference between those which are fed on blood and rubbish and those fed on other things.

Ibn Jibreen

The Ruling on Eating Chicken Which Has Been Fed on Pork

Q The Permanent Committee for Scientific Researches and Religious Verdicts studied the following question from the Muslim brothers in Bani Murad district to His Eminence, the Director General, which was referred to them with the number 286 on the 10th of Safar 1401 A. H., the text of which was as follows: "They feed chicken with mixed foods. Included among these foods is meal from the meat of dead animals, including pork. Are these chickens which are fed on this meat permissible or forbidden? And if they are forbidden, what is the ruling on their eggs?"

A The Committee answered as follows: If the situation is as described regarding the feeding (of the chickens), there is a difference of opinion among the scholars regarding the eating of its meat and its eggs. Malik and a number of others said that eating its meat and its eggs is permissible, because the impure foods are purified by their transformation into meat and eggs. And a number of them, including Ath-Thawri, Ash-Shafi'i and Ahmad held that it is forbidden to eat it, as well as its eggs, and to drink its milk.^[1]

And it was said: If most of its fodder was impure, then it is *Jallalah*^[2] and it may not be eaten. If most of its fodder is pure, it may be eaten. And a number (of scholars) said that it is forbidden, based upon the *Hadith* narrated by Ahmad, Abu Dawud, An-Nasa'i and At-Tirmithi, on the authority of Ibn 'Abbas, may Allah be pleased with them, in which it is stated that the Messenger of Allah ﷺ forbade drinking the milk of *Al-Jallalah*, and it was declared authentic by At-Tirmithi and Ibn Daqiq Al-'Eid. (They also cited as evidence) the narration of Ahmad, Abu Dawud, At-Tirmithi and Ibn Majah, on the

^[1] That is, the meat of any animals fed on pork, not particularly chickens.

^[2] *Jallalah*: An animal which eats the droppings of others.

authority of Ibn ‘Umar, may Allah be pleased with them, which states that the Messenger of Allah ﷺ forbade eating the meat of *Al-Jallalah* and drinking its milk. *Al-Jallalah* is the animal that eats excrement and all other kinds of impure things. And the most authoritative view is the one that elaborates on the details, which is the second, as we have said.

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

Ibn Baz

The Ruling on Eating Animals Which Died of Natural Causes

Q A questioner is asking about the permissibility of eating animals that died of natural causes in an empty desert when food has been cut off for a long period, bearing in mind that he has sufficient water to get him to inhabited areas.

A If he is forced by necessity to do this and he fears that he will die if he did not eat it, it is permissible for him to do so, according to the Words of Allah, Most High:

﴿حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخَنَازِيرِ وَمَا أَهْلَ لُغَيْرِ اللَّهِ بِهِ وَالْمُنْخَنِفَةُ
وَالْمَوْقُوذَةُ وَالْمُتَرَدِّيَةُ وَالنَّطِيحَةُ وَمَا أَكَلَ السَّبُعُ إِلَّا مَا ذَكَّيْتُمْ وَمَا ذُبِحَ عَلَى النُّصُبِ
وَأَنْ تَسْتَقْسِمُوا بِالْأَزْلَمِ ذَلِكُمْ فَسُقُ الْيَوْمَ يَبْسُ الَّذِينَ كَفَرُوا مِنْ دِينِكُمْ فَلَا
تَخْشَوْهُمْ وَاخْشَوْنَ الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَأَمْتَمْتُ عَلَيْكُمْ نِعْمَتِي وَرَضِيْتُ لَكُمْ
الْإِسْلَامَ دِينًا فَمَنْ اضْطُرَّ فِي مَخَبَصَةٍ غَيْرِ مُتَجَانِفٍ لِإِثْمٍ فَإِنَّ اللَّهَ غَفُورٌ
رَحِيمٌ﴾

“Forbidden to you (for food) are: *Al-Maitah* (the dead animals — cattle — beast not slaughtered), blood, the flesh of swine, and that on which Allāh’s Name has not been mentioned while slaughtering (that which has been slaughtered as a sacrifice for others than Allāh, or has been slaughtered for idols) and that

which has been killed by strangling, or by a violent blow, or by a headlong fall, or by the goring of horns — and that which has been (partly) eaten by a wild animal — unless you are able to slaughter it (before its death) — and that which is sacrificed (slaughtered) on An-Nusub (stone-altars). (Forbidden) also is to use arrows seeking luck or decision; (all) that is Fisqun (disobedience of Allāh and sin). This day, those who disbelieved have given up all hope of your religion; so fear them not, but fear Me. This day, I have perfected your religion for you, completed My Favour upon you, and have chosen for you Islām as your religion. But as for him who is forced by severe hunger, with no inclination to sin (such can eat these above mentioned meats), then surely, Allāh is Oft-Forgiving, Most Merciful.”^[1]

Ibn Baz

^[1] Al-Ma'idah 5:3.

Rulings on Slaughtered Animals

The Slaughtered Animals of the People of the Scripture

The Slaughtered Animals of the People of the Scripture Are Permissible, Even Though They Have Deviated From Their Religion and Slaughtering Using Machines is Permissible on Certain Conditions

Q Our country (Egypt) imports meats from Christian and Jewish countries and sometimes from communist countries. Information has reached us that most of these countries do not slaughter in accordance with the Islamic way. In addition to this, some people say that the Christians present at are disbelievers in their religion and in the Bible which they have, and that most of them are apostates having abandoned their religion, and some of them adhere to what they call the Holy Book, which is a book which the highest priests have produced, taken from a number of Gospels. For this reason, they are considered disbelievers in the Bible which existed during the time of the Messenger of Allah ﷺ, even though it was a corrupted form of the Bible.

Some people say that regarding the method of slaughtering by automated butchery — even if it is in accordance with Islam — the employee who presses the button (the operating switch) must be a Muslim, or from among the People of the Scripture. And according to their aforementioned opinion, there are no People of the Scripture now. And they say, were we to consider that it is the automated butchering machine which slaughters the animal without consideration to the employee who operates it, then the slaughter is considered killing, like one who was cut with a knife and then died.

If we assume that the producing country is communist, but they slaughter with an automatic butchering machine, in accordance with the Islamic Law, what is the ruling on this type of slaughter? I request from you that you examine all sections of these requests for legal verdicts and reply to them in detail, because these matters cause problems for many of the Muslims and we have not eaten these meats for about a year.



Firstly: The Jews and Christians were disbelievers in many of the fundamentals of faith which were brought in the *Tawrah* and the *Injil*: The Jews disbelieved in the Prophethood of some of the Prophets, such as 'Isa and Muhammad, peace be upon them, and they killed the Prophets unlawfully and corrupted many of the Laws of the *Tawrah*. A number of them said that 'Uzair was the son of Allah etc. And the Christians used to say that Allah is the third of three (in a trinity), and that 'Isa is the son of Allah, and they disbelieve in the Prophethood of Muhammad ﷺ... etc.

In spite of this, Allah called them the People of the Scripture and He made it permissible for the Muslims (to eat) their slaughtered animals and to marry their chaste women. Their disbelief, their polytheism and their corruption of their Scriptures did not prevent the rulings of the People of the Scripture being implemented regarding them during the time of the Prophet ﷺ. So it does not prevent them from being implemented regarding them until the Day of Resurrection.

Secondly: Automated slaughtering of those animals whose meat is permissible to eat, in accordance with the method of the Islamic Law, is no different from slaughtering with a knife. So if the person who operated the machine intended to slaughter by any means and he invoked the Name of Allah Alone when doing so, the animal which he has slaughtered may be eaten, whether he is a Muslim, a Jew or a Christian, because every animal whose blood is spilled, and over which the Name of Allah is invoked is permissible to eat, except by usage of teeth and nails.

The Permanent Committee

The Ruling on Eating Animals Slaughtered by the Christians

Q Is it permissible to eat animals slaughtered by the Christians in these times, bearing in mind many methods of slaughtering which they employ, such as the use of machines and anaesthetic substances during the slaughtering process?

A It is permissible to eat their slaughtered animals as long as it is not known that they were slaughtered by a method other than the Islamic method, because the basic principle is that they are permissible, like an animal slaughtered by a Muslim, according to the Words of Allah, Most High:

﴿وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلٌّ لَكُمْ وَطَعَامُكُمْ حَلٌّ لَهُمْ﴾

“The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them.”^[1]

Ibn Baz


The Ruling on Animals Slaughtered by the Christians Which Were Slaughtered With *As-Sar'* or by *Al-Qasf* and the Ruling on Pork Fat

Q F. T. from Germany is asking two questions: Regarding the first, he says: The Christian slaughterhouses in most European and American countries follow the method of slaughtering sheep by *As-Sar'* (electric shock) and they slaughter chickens by *Al-Qasf* (breaking the neck); what is the ruling on this?

Regarding the second question, he is asking about the ruling on pig fat and he says that he has heard from some present-

^[1] *Al-Ma'idah* 5:5.

day scholars, who permit it.

 The answer to the first question is to say that Allah's Mighty Book, the pure Sunnah, and the consensus of the Muslims prove that the food of the People of the Scripture is permissible; Allah, Most Glorified says:

﴿أَيُّومَ أُحِلَّ لَكُمْ الطَّيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حِلٌّ لَكُمْ وَطَعَامُكُمْ حِلٌّ لَهُمْ﴾

"Made lawful to you this day are At-Tayyibāt [all kinds of Halāl (lawful) foods, which Allāh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them."^[1]

This Noble Verse proves that the food of the People of the Scripture is permissible. And what is meant by this, is the animals which they slaughter. And they are not above the Muslims, rather in this matter, they are like the Muslims, so if it is known that they slaughter in a manner which places the animal in the category of dead meat, it is forbidden, just as it would be forbidden if a Muslim did that, according to the Words of Allah, the Almighty, the All-Powerful:

﴿حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالدَّمُ وَلَحْمُ الْخَنَازِيرِ وَمَا أُهِلَّ لِغَيْرِ اللَّهِ بِهِ وَالْمُنْخَنِقَةُ وَالْمَوْقُوذَةُ وَالْمُتَرَدِّيَةُ وَالنَّطِيحَةُ﴾

"Forbidden to you (for food) are: Al-Maitah (the dead animals — cattle — beast not slaughtered), blood, the flesh of swine, and that on which Allāh's Name has not been mentioned while slaughtering (that which has been slaughtered as a sacrifice for others than Allāh, or has been slaughtered for idols) and that which has been killed by strangling, or by a violent blow, or by a headlong fall, or by the goring of horns"^[2]

^[1] Al-Ma'idah 5:5.

^[2] Al-Ma'idah 5:3.

So every slaughter by a Muslim, or one of the People of the Scripture, which places the slaughtered animal into the category of that which has been killed by strangling or a violent blow, or by a headlong fall, or by the goring of horns, then that slaughter makes the animal forbidden, and places it in the category of dead meat, according to this Noble Verse. This Verse makes specific exceptions to the generality of the Words of Allah, Most Glorified:

﴿وَوَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَّ لَكُمْ﴾

"The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you"^[1]

Just as it makes specific exceptions to the evidences which prove the permissibility of an animal slaughtered by a Muslim, if he performs the slaughter in a manner which places his slaughter under the ruling of dead meat.

As for your saying that the Christian slaughterhouses follow the method of slaughtering sheep by *As-Sar'* and they slaughter chickens by *Al-Qasf*, I have asked people with experience about the meaning of *As-Sar'* and *Al-Qasf*, because you did not make their meaning clear. One of the persons asked replied that *As-Sar'* means killing the animal by electricity without it being slaughtered according to the Islamic law. As for *Al-Qasf*, it means breaking the neck once; so if this is what is meant by *As-Sar'* and *Al-Qasf*, then an animal slaughtered by shock is dead meat, since it was not slaughtered according the Islamic method of slaughter, which consists of cutting the throat and the esophagus and the letting of the blood. And it has been authentically reported from the Messenger of Allah ﷺ that he said:

«مَا أَنْهَرَ الدَّمَ وَذُكِرَ اسْمُ اللَّهِ فَكُلْ لَيْسَ السِّنُّ وَالظُّفْرُ»

"That from which the blood was let over which the Name of Allah

[1] *Al-Ma'idah* 5:5.

was mentioned you may eat, but not (that which was slaughtered using) teeth and the nails.”^[1]

As for *Al-Qasf*, bearing the aforementioned meaning, it is permissible to eat an animal slaughtered in this manner, because it includes slaughter according to the Islamic Law, which is to cut the throat, the esophagus and the jugular veins. Because there is blood letting in that process, along with the cutting of what it is necessary to cut. However, if the meaning of *As-Sar‘* and *Al-Qasf* to you is different from what we have mentioned, we request you to inform us of it, so that the answer may be in the light of that information. May Allah grant success to all in reaching the truth.

As for the second question, which is (regarding) pig fat, the answer to that is, that the opinion of the four Imams and the majority of the scholars is that its fat is forbidden as a consequence of the meat being forbidden. It was reported by Imam Al-Qurtubi and *Al-‘Allamah* Ash-Shawkani that there is a consensus among the Muslim scholars (regarding its prohibition). Because if it is determined that something better is forbidden, then it is with all the more reason that something lesser than it be forbidden; and because fat is adherent to meat without exception, so it is included in the prohibition and forbiddance. And, because it is naturally attached to it, the same harm will result from it as results from that to which it is attached, i.e., the meat. And, because authentic *Hadiths* from the Messenger of Allah ﷺ have been reported proving the prohibition of the pig and all of its parts. And the Sunnah explains the Qur‘an and makes its meaning clear. No one disputes this as far as we know.

But even if we were to suppose that someone held a different opinion, it would be an exceptional difference of opinion, contradicting the evidences and the consensus of the scholars which preceded it, so no regard would be paid to it. Among the

^[1] Al-Bukhari no. 5509 and Muslim no. 1968.

narrations from the Sunnah on this subject is the report of the Two Shaikhs, Al-Bukhari and Muslim, in the Two *Sahihs*, on the authority of Jabir, may Allah be pleased with him, who said that the Prophet ﷺ addressed the people on the day of the Conquest of Makkah, saying:

«إِنَّ اللَّهَ وَرَسُولَهُ حَرَّمَ بَيْعَ الْخَمْرِ وَالْمَيْتَةِ وَالْخِنْزِيرِ وَالْأَصْنَامِ»

“Verily, Allah and His Messenger have forbidden you from selling alcohol, dead meat, swine and idols.”^[1]

So he has linked the swine to alcohol and dead meat, and he did not make an exception for its fat. Indeed, he has included the prohibition of selling it, as he has included the prohibition of selling alcohol and dead meat, and this is a clear evidence that the whole of it is prohibited. And the *Hadiths* on this subject are numerous.

Ibn Baz

The Ruling on an Animal Slaughtered by Electric Shock

All praise and thanks be to Allah, and may peace and blessings be upon the Messenger of Allah and upon his family and Companions. As for what follows:

The Permanent Committee studied the legal verdict which was published in the newspaper *Al-Muslimun* in issue no. 14 on the 21st of Sha'bban 1405 A. H. by His Eminence, *Shaikh* Yusuf Al-Qaradhawi, the text of which was:

“Meats imported from the lands of the People of the Scripture, such as chicken and canned or frozen beef, which might have been slaughtered by electric shock or the like are permissible for us, as long as they (i.e., the Jews and Christians) consider that it is permissible slaughter... etc.”

^[1] Al-Bukhari no. 2236 and Muslim no. 1581.

I say: This verdict requires elucidation, bearing in mind that the Book (of Allah) and the Sunnah have proven that it is permissible to eat the food of the People of the Scripture, and that the food of disbelievers other than them is forbidden; Allah, Most High says:

﴿الْيَوْمَ أُحِلَّ لَكُمُ الطَّيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حِلٌّ لَكُمْ وَطَعَامُكُمْ حِلٌّ لَهُمْ﴾

"Made lawful to you this day are At-Tayyibāt [all kinds of Halāl (lawful) foods, which Allāh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them."^[1]

This Verse is a clear evidence that the food of the People of the Scripture is permissible — and they are the Jews and the Christians, and their food means their slaughtered animals. What is understood from it is evidence that the slaughtered animals of other disbelievers is forbidden. According to the scholars, exceptions from this include animals on which other than the Name of Allah has been invoked, because there is evidence for the prohibition of that on which other than the Name of Allah has been invoked, in the Words of Allah, Most High:

﴿حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخِنْزِيرِ وَمَا أَهْلَ لَغَيْرِ اللَّهِ بِهِ﴾

"Forbidden to you (for food) are: Al-Maitah (the dead animals — cattle — beast not slaughtered), blood, the flesh of swine, and that on which Allāh's Name has not been mentioned while slaughtering (that which has been slaughtered as a sacrifice for others than Allāh, or has been slaughtered for idols)"^[2]

As for that which is slaughtered in a manner other than the Islamic way, such as an animal which we know has died by electric shock, or by throttling or the like, it is considered to be

^[1] Al-Ma'idah 5:5.

^[2] Al-Ma'idah 5:3.

from among the animals killed by a blow or one that is strangled, according to the circumstances — whether it was done by the People of the scripture or the Muslims. When the manner of slaughter is not known, the basic principle is permissibility, whether it was slaughtered by the Muslims or by the People of the Scripture. An animal which was shocked or struck a blow and it was caught while it was alive, then slaughtered in accordance with the Islamic way, it is permissible. Allah, Most High says:

﴿حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخِنْزِيرِ وَمَا أَهْلَ لِغَيْرِ اللَّهِ بِهِ وَالْمُنْخَفَّةُ وَالْمَوْفُودَةُ وَالْمَرْدِيَّةُ وَالنَّطِيحَةُ وَمَا أَكَلَ السَّبُعُ إِلَّا مَا ذَكَّيْتُمْ وَمَا ذُبِحَ عَلَى النُّصُبِ وَأَنْ تَسْتَقْسِمُوا بِالْأَزْلَمِ ذَلِكُمْ فِسْقٌ﴾

“Forbidden to you (for food) are: Al-Maitah (the dead animals — cattle — beast not slaughtered), blood, the flesh of swine, and that on which Allāh’s Name has not been mentioned while slaughtering (that which has been slaughtered as a sacrifice for others than Allāh, or has been slaughtered for idols) and that which has been killed by strangling, or by a violent blow, or by a headlong fall, or by the goring of horns — and that which has been (partly) eaten by a wild animal — unless you are able to slaughter it (before its death) — and that which is sacrificed (slaughtered) on An-Nusub (stone-altars). (Forbidden) also is to use arrows seeking luck or decision; (all) that is Fisqun (disobedience of Allāh and sin).^[1]

This Verse proves the prohibition of eating an animal which has been killed by a violent blow, and one that has been killed by strangling. Included in the same ruling is the animal given an electric shock, if it dies before it is possible to slaughter it, and likewise the animal struck on the head or anywhere else that dies before it can be slaughtered — it is forbidden to eat it, according to the aforementioned Noble Verse.

^[1] Al-Ma’idah 5:3.

According to what we have mentioned in the reply of *Shaikh Yusuf* — may Allah grant him success — it is clear that it is general.

As for the Jews and Christians deeming permissible the animal killed by strangling or electric shock, that does not make it permissible for us to eat them, just as it would not be even if some of the Muslims permitted it. Regard is only paid to what the pure Islamic Law has permitted or forbidden. And the fact that the Noble Verse has included their food does not mean that it is permissible to deduce that it is permissible to eat what the other Verse has proven to be forbidden, such as the strangled animal, the animal killed by a blow and the like. Rather it is necessary to interpret the general in the light of that which is detailed, as this is the legal rule confirmed in the fundamentals (of Islamic Jurisprudence).

As for the *Hadith* of ‘A’ishah, may Allah be pleased with her, which *Shaikh Yusuf* indicated, it concerns Muslim people who had newly embraced Islam, not disbelievers. So it is not permissible to cite it as evidence for the permissibility of eating the slaughtered animals of the disbelievers which the Islamic Law has proven to be forbidden. And this is the text of it: It is reported on the authority of ‘A’ishah, may Allah be pleased with her, that a people said to the Prophet ﷺ: “Our people come to us with meat and we do not know whether the Name of Allah was mentioned over it or not.” He ﷺ said:

«سَمُّوا عَلَيْهِ أَنْتُمْ وَكُلُّوهُ»

“Pronounce His Name over it yourselves and eat it.”^[1]

‘A’ishah, may Allah be pleased with her, said: “And they had recently abandoned disbelief.” (Narrated by Al-Bukhari)

Due to the obligation to advise, to explain and to cooperate with one another in virtue, righteousness and piety it (i.e. this reply)

[1] Al-Bukhari no. 5507.

has been written.

And I ask Allah to grant success to His Eminence, *Shaikh Yusuf* and to all of the Muslims in reaching the truth in word and deed, for He is the Best One to ask.

May peace and blessings be upon our Prophet, Muhammad and upon His family and Companions.

Ibn Baz

Animals Slaughtered by the Disbelievers

The Ruling on Animals Slaughtered by the Idolaters

Q Is it permissible to eat meats imported from countries in which the majority of inhabitants do not adhere to Islam, Christianity or Judaism, such as India, Japan, China or others?

A If the meats were imported from idolatrous or communist countries, then it is not permissible to eat them, because their slaughtered animals are forbidden. Allah has only permitted the Muslims to eat the food of the People of the Scripture — and they are the Jews and Christians — in the Words of Him, the Almighty, the All-Powerful:

﴿الْيَوْمَ أُحِلَّ لَكُمْ الطَّيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حِلٌّ لَكُمْ وَطَعَامُكُمْ حِلٌّ لَهُمْ﴾

“Made lawful to you this day are At-Tayyibāt [all kinds of Halāl (lawful) foods, which Allāh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them.”^[1]

This applies as long as the Muslim does not know that it was slaughtered in a manner contrary to the Islamic way, such as by

^[1] *Al-Ma'idah* 5:5.

strangling, electric shock or the like. But if he comes to know that, it is not permissible for him to eat their slaughtered animals, according to the Words of Allah, Most High:

﴿حُرِّمَتْ عَلَيْكُمْ أَلْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخِنَزِيرِ وَمَا أُهْلَ لِعَیْرِ اللَّهِ بِهِ ۚ وَالْمُنْخَفَقَةُ
وَالْمَوْفُوذَةُ وَالْمُتَرَدِّيَةُ وَالنَّطِيحَةُ وَمَا أَكَلَ السَّبُعُ إِلَّا مَا ذَكَّيْتُمْ﴾

“Forbidden to you (for food) are: Al-Maitah (the dead animals — cattle — beast not slaughtered), blood, the flesh of swine, and that on which Allāh’s Name has not been mentioned while slaughtering (that which has been slaughtered as a sacrifice for others than Allāh, or has been slaughtered for idols) and that which has been killed by strangling, or by a violent blow, or by a headlong fall, or by the goring of horns — and that which has been (partly) eaten by a wild animal — unless you are able to slaughter it (before its death).^[1]

Ibn Baz

The Ruling on Animals Slaughtered by Polytheists Who Claim Allegiance to Islam

Q What is the ruling on slaughtered animals sold in the market from countries whose people are not free from *Shirk*, but who claim to be Muslims, due to the influence of ignorance and innovative paths, like *At-Tijaniyyah*? ^[2]

A If the matter is as stated in the question, that the slaughterer claims allegiance to Islam, but it is known of him that he belongs to a group who permit seeking help from other than Allah, in matters which none can help except Allah, and they seek help from the dead Prophets and those whom they consider *Awliya'* (friends and helpers of Allah) for example, then his slaughter is the same as that of the polytheists and the idolaters, the worshippers of Al-Lat, Al-'Uzza, Manat, Wadd,

^[1] *Al-Ma'idah* 5:3.

^[2] *At-Tijaniyyah*: A Sufi sect which originated in Tijan in Sudan.

Suwa', Yaghuth, Ya'uq and Nasr.

It is not permissible for the true Muslim to eat it because it is dead meat. In fact, his (i.e. the one who seeks help from other than Allah) situation is the same as their situation, because he is an apostate from the Islam to which he claims adherence, due to him turning to other than Allah in matters in which none can do but Allah, such as guiding those who are astray, curing the sick and other things in which the effects are attributed to what lies behind the physical causes, such as the secrets of the dead and their blessings, and those who fall under the same ruling as the dead, such as the absent whom the ignorant call upon, due to their belief that in them there is some blessing and that they possess some special powers or attributes which allow them to hear the supplication of those who seek their help in removing something harmful from them or bringing some benefit to them. This is the case even if the one who supplicates is in the farthest point east and the object of his supplication is in the farthest point west.

And it is an obligation upon those from Ahl As-Sunnah who live in their countries to advise them and to guide them to pure belief in the pure *Tawhid*; and if they respond, then all praise and thanks be to Allah. And if they do not respond after the evidence has been made clear to them, then there is no excuse for them.

However, if the situation of the slaughterer is unknown, but the majority of those who claim allegiance to Islam in his country are those who seek help from the dead and submit themselves to them, then it is ruled that his slaughter is considered as that of the majority and it is not permissible to eat it.


The Permanent Committee

Slaughtering For Other Than Allah is *Shirk*



If a man slaughtered a sheep or some other grazing animal and he said; "O Allah! Place the reward of it in

the record of *Shaikh* So-and-so,” is there anything of an innovatory nature in that?

 If a man slaughters a sheep or some other grazing animal and he gives charity with it on behalf of a deceased person, there is no objection to that. But if he slaughtered it in order to glorify that deceased person and to get nearer to him, then he is a polytheist, guilty of major *Shirk*. This is because slaughter is an act of worship and a means of seeking closeness — and worship and seeking closeness are not for anyone except Allah, as He, Most High says:

﴿قُلْ إِن صَّلَاتِي وَنُسُكِي وَمَحْيَايَ وَمَمَاتِي لِلَّهِ رَبِّ الْعَالَمِينَ ﴿١٦٢﴾ لَا شَرِيكَ لَّهُ وَبِذَلِكَ أُمِرْتُ وَأَنَا أَوَّلُ الْمُسْلِمِينَ ﴿١٦٣﴾﴾

“Say (O Muhammad ﷺ): “Verily, my *Salāt* (prayer), my sacrifice, my living, and my dying are for Allāh, the Lord of the ‘Ālamīn (mankind, jinn and all that exists).” “He has no partner. And of this I have been commanded, and I am the first of the Muslims.”^[1]

So it is necessary to distinguish between the two intentions: If the slaughterer intended to give charity with its meat in order that this dead person receive the reward of it, then there is no objection to this. Although, it would be better and more fitting if he supplicated for the deceased — if he has the right to supplication, i.e., if he was a Muslim. And a person’s charity should be for himself, because the Prophet ﷺ said:

«إِذَا مَاتَ الْإِنْسَانُ انْقَطَعَ عَنْهُ عَمَلُهُ إِلَّا مِنْ ثَلَاثَةٍ: إِلَّا مِنْ صَدَقَةٍ جَارِيَةٍ أَوْ عِلْمٍ يُنْتَفَعُ بِهِ، أَوْ وَلَدٍ صَالِحٍ يَدْعُو لَهُ»

“When a man dies, his deeds are cut off, except three: Continuing charity, or knowledge from which benefit is derived, or a righteous son who supplicates for him.”^[2]

[1] *Al-An’am* 6:162-163.

[2] *Muslim* no. 1631.

He did not say to give charity on his behalf, or to fast on his behalf or to pray on his behalf, so this proves that supplication is better and preferred. And you, a living person, are in need of the deed, so make the deed for yourself and make the supplication for your dead brother.

However, if his intention in slaughtering for so-and-so was to draw nearer to him and to glorify him, then it is *Shirk*, major *Shirk*, because it is dedicating something of worship to other than Allah, Most High.

Ibn 'Uthaimin

Animals Slaughtered by Disbelievers Other Than the People of the Scripture

Q I am a Somali student studying in China. I face many difficulties regarding food in general and meat in particular; and the problems are:

1. Before going to China, I heard that animals which have been slaughtered by unbelievers — or more precisely, been killed by them — are not permissible for the Muslim to eat. In the University, we have a small canteen for the Muslims and in it there is meat, but I am not convinced that it was slaughtered according to the Islamic way and I doubt it; but my colleagues are not in doubt like me and they eat it. Are they right, or are they eating what is forbidden?
2. Regarding the food vessels, the Muslims' vessels are not distinguished from the others — what must I do regarding these matters?

A It is not permissible to eat animals slaughtered by disbelievers other than the People of the Scripture, the Jews and Christians. It does not matter whether they are Zoroastrians, idolaters, communists or any other kind of disbeliever. It is also not allowed to eat food mixed with their

slaughtered animals, such as the stock or anything else. Because Allah, Most Glorified has not permitted any of the food of the disbelievers for us — except that of the People of the Scripture. He said in *Surat Al-Ma'idah*:

﴿الْيَوْمَ أُحِلَّ لَكُمُ الطَّيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حِلٌّ لَكُمْ وَطَعَامُكُمْ حِلٌّ لَهُمْ﴾

“Made lawful to you this day are At-Tayyibāt [all kinds of Halāl (lawful) foods, which Allāh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them.”^[1]

And their food means the animals they slaughter, as Ibn ‘Abbas, may Allah be pleased with them, and others said. As for fruits and the like, there is no sin in them, because they are not included among forbidden foods. As for the food of the Muslims, it is permissible for the Muslims and for others, if they (i.e., the slaughterers) are true Muslims and do not worship anything besides Allah and do not supplicate to anyone besides Him, such as the Prophets, peace be upon them, the *Awliya’*, the inhabitants of the graves and others whom the disbelievers worship.

As for the vessels, it is incumbent upon the Muslims to have vessels other than those of the disbelievers, which are used for their food and their alcohol and the like. And if they do not find them, the Muslim cook must wash the vessels used by the disbelievers, then place the Muslims’ food in them, according to what has been confirmed in the Two *Sahihs*, on the authority of Abu Tha’labah Al-Khushani, may Allah be pleased with him, in which he asked the Prophet ﷺ about eating from the vessels of the polytheists and the Prophet ﷺ said to him:

«فَلَا تَأْكُلُوا فِيهَا وَإِنْ لَمْ تَجِدُوا فَاعْسِلُوهَا ثُمَّ كُلُوا فِيهَا»

^[1] *Al-Ma'idah* 5:5.

“Do not eat from them, unless you do not find any others, in which case, wash them and eat from them.”^[1]

Ibn Baz

The Ruling on the Slaughtered Animals of Those Who Seek Help From Other Than Allah, if They Mention Allah’s Name Over Them

Q A group of students of (Islamic) knowledge claim that the slaughtered animals of those who seek help from Allah and call upon other than Allah in matters in which he (i.e., the one called upon) cannot do anything — as long as they mention Allah’s Name over them — are permissible; and they cite as evidence the generality of the Words of Allah, Most High:

﴿فَكُلُوا مِمَّا ذَكَرَ اسْمُ اللَّهِ عَلَيْهِ إِنْ كُنْتُمْ بِآيَاتِهِ مُؤْمِنِينَ﴾

“So eat of that (meat) on which Allāh’s Name has been pronounced (while slaughtering the animal), if you are believers in His Ayāt (proofs, evidences, verses, lessons, signs, revelations, etc.).^[2]

and the Words of Him, Most High:

﴿وَمَا لَكُمْ أَلَّا تَأْكُلُوا مِمَّا ذَكَرَ اسْمُ اللَّهِ عَلَيْهِ وَقَدْ فَصَّلَ لَكُمْ مَا حَرَّمَ عَلَيْكُمْ إِلَّا مَا اضْطُرِرْتُمْ إِلَيْهِ وَإِنَّ كَثِيرًا لِّيُضِلُّوا بِأَهْوَاءِهِمْ بِغَيْرِ عِلْمٍ إِنَّ رَبَّكَ هُوَ أَعْلَمُ بِالْمُعْتَدِينَ﴾

“And why should you not eat of that (meat) on which Allāh’s Name has been pronounced (at the time of slaughtering the animal), while He has explained to you in detail what is forbidden to you, except under compulsion of necessity? And surely, many do lead (mankind) astray by their own desires

^[1] Al-Bukhari no. 5488 and Muslim no. 1930.

^[2] Al-An’am 6:118.

through lack of knowledge. Certainly your Lord knows best the transgressors.^[1]

And they consider that those who forbid it are from the transgressors who lead people astray by their own desires, through lack of knowledge, and they say that Allah has explained to us in detail what He has forbidden to us, as in His Words:

﴿حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخِنْزِيرِ وَمَا أُهْلَ لِغَيْرِ اللَّهِ بِهِ وَالْمُنْخَفَةُ
وَالْمَوْفُوذَةُ وَالْمُتَرَدِّيَةُ وَالطَّيْحَةُ﴾

“Forbidden to you (for food) are: Al-Maitah (the dead animals — cattle — beast not slaughtered), blood, the flesh of swine, and that on which Allāh’s Name has not been mentioned while slaughtering (that which has been slaughtered as a sacrifice for others than Allāh, or has been slaughtered for idols) and that which has been killed by strangling, or by a violent blow,”^[2]

and the Words of Him, Most High:

﴿إِنَّمَا حَرَّمَ عَلَيْكُمُ الْمَيْتَةَ وَالْدَّمُ وَلَحْمُ الْخِنْزِيرِ وَمَا أُهْلَ بِهِ لِغَيْرِ اللَّهِ﴾

He has forbidden you only the Maitah (dead animals), and blood, and the flesh of swine, and that which is slaughtered as a sacrifice for others than Allāh (or has been slaughtered for idols, on which Allāh’s Name has not been mentioned while slaughtering).^[3]

And other such Verses which explain in detail what is forbidden to us, and there is no mention in them of prohibition of any animals upon which the Name of Allah was mentioned, even if the slaughterer was an idolater or a Zoroastrian, and they assert that Muhammad bin ‘Abdul-Wahhab used to eat the slaughtered animals of those who used to worship Zaid bin Al-Khattab if they had mentioned Allah’s Name over them. Are their claims

^[1] Al-An’am 6:119.

^[2] Al-Ma’idah 5:3.

^[3] Al-Baqarah 2:173.

true? And what is the reply to what they have cited as evidence, if they are wrong? And what is the truth in the matter and what is the evidence?



The ruling on the permissibility or forbiddance of slaughtered animals differs depending upon the situation of the slaughterer: If the slaughterer is a Muslim and it is not known that he has done anything which invalidates the basis of his Islam and he mentioned the Name of Allah over his sacrifice, or if it is not known whether he mentioned Allah's Name over it or not, then his sacrifice is permissible. This is based upon the consensus of the Muslims and the generality of the Words of Allah, Most High:

﴿فَكُلُوا مِمَّا ذَكَرَ اسْمُ اللَّهِ عَلَيْهِ إِنْ كُنْتُمْ بِآيَاتِهِ مُؤْمِنِينَ ۖ وَمَا لَكُمْ أَلَّا تَأْكُلُوا مِمَّا ذَكَرَ اسْمُ اللَّهِ عَلَيْهِ وَقَدْ فَضَّلَ لَكُمْ مَا حَرَّمَ عَلَيْكُمْ إِلَّا مَا اضْطُرِرْتُمْ إِلَيْهِ﴾

“So eat of that (meat) on which Allāh’s Name has been pronounced (while slaughtering the animal), if you are believers in His Ayāt (proofs, evidences, verses, lessons, signs, revelations, etc.). And why should you not eat of that (meat) on which Allāh’s Name has been pronounced (at the time of slaughtering the animal), while He has explained to you in detail what is forbidden to you, except under compulsion of necessity?”^[1]

If the slaughterer is one of the People of the Scripture, Jewish or Christian and he mentioned the Name of Allah over his sacrifice, then it is permissible, according to the consensus of the Muslims and the Words of Allah, Most High:

﴿وَوَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَالٌ لَكُمْ﴾

“The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you.”^[2]

If he did not mention Allah's Name over it nor any other name,

^[1] Al-An'am 6:118-119.

^[2] Al-Ma'idah 5:5.

then there is a difference of opinion regarding its permissibility: Those who said that it is permissible cited as evidence the generality of the Words of Allah, Most High:

﴿وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَّ لَكُمْ﴾

“The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you”^[1]

And those who forbade it cited as evidence the generality of the evidences for the obligation to mention Allah’s Name over the sacrifice and over game, and the prohibition of eating meat over which the Name of Allah was not mentioned in the Words of Allah, Most High:

﴿وَلَا تَأْكُلُوا مِمَّا لَمْ يُذَكِّرْ أَسْمُ اللَّهِ عَلَيْهِ﴾

“Eat not (O believers) of that (meat) on which Allāh’s Name has not been pronounced (at the time of the slaughtering of the animal)”^[2]

And this seems most apparent; and if the Jew or Christian mentioned other than Allah’s Name, such as by saying: “In the name of ‘Uzair,” or: “In the name of the Messiah,” or: “In the name of the cross,” it would not be permissible to eat it, because it would be included in the generality of the Words of Allah, Most High:

﴿وَمَا أَهْلَ لِعَيْرِ اللَّهِ بِهِ﴾

“and that on which Allāh’s Name has not been mentioned while slaughtering (that which has been slaughtered as a sacrifice for others than Allāh, or has been slaughtered for idols)”^[3]

Since it is an explanation of the generality of His Words:

﴿وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَّ لَكُمْ﴾

“The food (slaughtered cattle, eatable animals) of the people of the

[1] Al-Ma’idah 5:5.

[2] Al-An’am 6:121.

[3] Al-Ma’idah 5:3.

Scripture (Jews and Christians) is lawful to you^[1]

And if the slaughterer is a Zoroastrian, it may not be eaten, whether the Name of Allah was mentioned over it or not — and there is no difference of opinion on this, as far as we are aware, except what was transmitted from Abu Thawr regarding permitting his (i.e., the Zoroastrian's) game and sacrifice, based upon the narration from the Prophet ﷺ in which he said:

«سُنُّوا بِهِمْ سُنَّةَ أَهْلِ الْكِتَابِ»

“Treat them as you would treat the People of the Scripture.”^[2]

And because they are left with their religion by virtue of their payment of the *Jizyah*^[3] like the People of the Scripture. Therefore, their game and slaughtered animals are permissible.

But the scholars rejected this and considered it to be in conflict with the consensus of the *Salaf* who came before him. In *Al-Mughni*, Ibn Qudamah said: “Ibrahim Al-Harbi said: ‘Abu Thawr has transgressed the consensus.’ Ahmad said: ‘Here are people who see no objection to the slaughtered animals of the Zoroastrians — how amazing is this?’ He meant by it Abu Thawr. And those from whom it is reported that they disliked their slaughtered animals include Ibn Mas‘ud, Ibn ‘Abbas, ‘Ali, Jabir, Abu Bardah, Sa‘id bin Al-Musayyib, ‘Ikrimah, Al-Hasan bin Muhammad, ‘Ata’, Mujahid, ‘Abdur-Rahman bin Abi Laila, Sa‘id bin Jubair, Murrah Al-Hamdani, Az-Zuhri, Malik, Ath-Thawri, Ash-Shafi‘i, and the People of Opinion (i.e. the Hanafis).

Ahmad said: ‘And I know of no one who contradicts this except that he is an innovator’ — and because Allah, Most High says:

﴿وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَالٌ لَكُمْ﴾

“The food (slaughtered cattle, eatable animals) of the people of the

[1] *Al-Ma'idah* 5:5.

[2] *Al-Mawatta* 1/278.

[3] *Jizyah*: A tax paid by Jews and Christians living under Muslim rule.

Scripture (Jews and Christians) is lawful to you^[1]

So it is understood from this that the food of other disbelievers is forbidden, because they have no Scripture, so their sacrifices are not permissible, like the idolaters.”

Then he said: “The *Jizyah* was only taken from them (i.e., Zoroastrians) because doubt regarding the Book necessitates the forbiddance of killing them, and since it was ruled that it is forbidden to spill their blood, the absence of a Scripture must necessitate the prohibition of eating their slaughtered animals and marrying their women. And because there is a consensus, which is the saying of those whom we have named and there is none who contradicted them in their time, nor those who came after them, except a narration on the authority of Sa’id in which it was reported that he contradicted it.” — end of the quotation from *Al-Mughni*.

If the slaughterer is a polytheist, a worshipper of idols and those included in their ruling, aside from the Zoroastrians and the People of the Scripture, then the Muslims are in complete agreement regarding the prohibition of eating their slaughtered animals — whether they mentioned the Name of Allah upon them or not. And what is understood from the Words of Allah, Most High:

﴿وَمَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلٌّ لَكُمْ﴾

“The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you^[2]

proves the prohibition of the slaughtered animals of disbelievers other than them. If it were not so, there would have been no reason to mention them in particular in the wording of the ruling of permissibility.

The same applies to one who claims to be a Muslim, but calls

^[1] *Al-Ma'idah* 5:5.

^[2] *Al-Ma'idah* 5:5.

upon other than Allah in matters in which none is able to do anything but Allah and seeks help from other than Allah. Slaughtered animals from such person are the same as those of the idolatrous disbelievers and the atheists — they are not permissible. Just as the slaughtered animals of those disbelievers are not permissible, due to their association of partners with Allah and their rejection of Islam. According to this, the consensus upon the prohibition of their slaughtered animals and the meaning understood from the Verse are both explanations of the generality of the Words of Allah, Most High:

﴿فَكُلُوا مِمَّا ذُكِرَ اسْمُ اللَّهِ عَلَيْهِ﴾

“So eat of that (meat) on which Allāh’s Name has been pronounced (while slaughtering the animal),”^[1]

— and His Words:

﴿وَمَا لَكُمْ أَلَّا تَأْكُلُوا مِمَّا ذُكِرَ اسْمُ اللَّهِ عَلَيْهِ﴾

“And why should you not eat of that (meat) on which Allāh’s Name has been pronounced (at the time of slaughtering the animal),”^[2]

It is not correct to cite these two Verses and others bearing the same meaning as evidence for the permissibility of eating the slaughtered animals of the idolaters and those who fall under the same ruling. For example one who apostatizes from Islam, due to his persistence in seeking help from other than Allah and his supplication of the dead and others in matters in which none but Allah can do anything, even after it is explained to him and the evidence has been established for him that this is the *Shirk* of the first period of *Jahiliyyah*.

Likewise, it is not correct to consider lawful the sacrifice of one who seeks help from other than Allah among the dead and others and seeks aid from other than Him in matters which are

^[1] *Al-An’am* 6:118.

^[2] *Al-An’am* 6:119.

Allah's domain — merely because he mentioned Allah's Name over it — due to the fact that their slaughter has not been clearly mentioned in the Verse:

﴿إِنَّمَا حَرَّمَ عَلَيْكُمُ الْمَيْتَةَ وَالدَّمَ وَلَحْمَ الْخِنْزِيرِ وَمَا أُهْلَ بِهِ لِغَيْرِ اللَّهِ﴾

He has forbidden you only the Maitah (dead animals), and blood, and the flesh of swine, and that which is slaughtered as a sacrifice for others than Allāh (or has been slaughtered for idols, on which Allāh's Name has not been mentioned while slaughtering).^[1]

And, other Verses bearing the same meaning, in which Allah has mentioned what foods He has forbidden to His worshipper. Indeed the slaughtered animals of those people, even though they have not been mentioned clearly in the evidences regarding forbidden foods, are included in the generality of dead meat, due to their apostasy from Islam, since they commit deeds which nullify the basis of their faith, and due to their insistence upon that, even after the matter has been explained to them.

And whoever claimed that *Imam Ad-Da'wah*,^[2] Muhammad bin 'Abdul-Wahhab — may Allah have mercy on him — used to eat the slaughtered animals of the people of Najd, who used to supplicate Zaid bin Al-Khattab, his claim is a slander and mere conjecture, and no more than an allegation without any narration from him — may Allah have mercy on him — to testify to it. Indeed, it contradicts the ruling to which his books and writings attest on one who supplicates to other than Allah. It does not matter whether it is an angel close (to Allah), a Prophet sent (with guidance), or a righteous servant of Allah — if it be in matters in which none can do anything but Allah — then he is a polytheist and an apostate from Islam. Indeed, his *Shirk* is even worse than that of the people of Jahiliyyah. The ruling on such person and his sacrifice is the same as that of the

^[1] *Al-Baqarah* 2:173.

^[2] Imam Ad-Da'wah: The Leader of the Call (to worship Allah, Alone).

people of Jahiliyyah, or even worse.

The Muslims are in complete agreement regarding the prohibition of eating the slaughtered animals of disbelievers other than the People of the Scripture, even if they mention Allah's Name over them. Because mentioning His Name over a slaughtered animal is a form of worship, and it is not valid unless the worship is devoted purely and sincerely to Allah, according to the Words of Him, Most Glorified:

﴿وَلَوْ أَشْرَكُوا لَحِطَ عَنْهُمْ مَا كَانُوا يَفْعَلُونَ﴾

"But if they had joined in worship others with Allāh, all that they used to do would have been of no benefit to them."^[1]

And Allah, Most Glorified, Most High knows best and is Wiser.

The Permanent Committee

The Ruling on the Sacrifice of One Who Abandons Prayer

Q If a person who has abandoned prayer slaughtered an animal, would it be permissible for one who prays to eat from that slaughtered animal?

A Prayer is the greatest of the five pillars (of Islam) after the two *Shahadahs* and whoever abandons it — rejecting its obligation — is a disbeliever, according to the consensus of the Muslims. Whoever abandoned it out of neglect or laziness, the most correct statement from among the sayings of the scholars is that he is guilty of disbelief. The basis for this is in the narration of Muslim in his *Sahih*, from the Prophet ﷺ, in which he said:

«بَيْنَ الرَّجُلِ وَبَيْنَ الشُّرْكِ وَالْكُفْرِ تَرْكُ الصَّلَاةِ»

"Between the worshipper and disbelief and polytheism is

^[1] *Al-An'am* 6:88.

abandoning prayer.”^[1]

And, the narration of Imam Ahmad in his *Musnad* and the compilers of the *Sunan*, with an authentic chain of narrators, from the Prophet ﷺ, in which it is reported that he said:

«الْعَهْدُ الَّذِي بَيْنَنَا وَبَيْنَهُمُ الصَّلَاةُ فَمَنْ تَرَكَهَا فَقَدْ كَفَرَ»

“The covenant between us and them is the prayer; therefore, whoever abandons it has committed an act of disbelief.”^[2]

Based upon this, if the person about whom you ask has abandoned the prayer and rejected its obligation, his sacrifice may not be eaten, according to the consensus of the scholars. If he abandoned it due to negligence or laziness, then according to the view of those who hold that he has disbelieved — and that is the more obvious — it is not permissible to eat what he has slaughtered by his hand, because he is an apostate and the sacrifice of the apostate may not be eaten, as the scholars have made clear — may Allah have mercy on them.

And Allah is the Granter of success. May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

Also Regarding the Ruling on the Sacrifice of One Who Abandons Prayer



Should the sacrifice of one who abandons prayer be eaten?



If one who does not pray, slaughters an animal, it is not permissible to eat it. Because according to the most authoritative view of the scholars, one who abandons prayer is guilty of an act of disbelief which places him outside the pale of

^[1] Muslim no. 82 and At-Tirmithi no. 2620.

^[2] At-tirmithi no. 2621 and Ibn Majah no. 1079.

Islam. And if this is so, then his sacrifice is not permissible, because a slaughtered animal is not permissible, unless the slaughterer was a Muslim or one of the People of the Scripture — the Jews and Christians, according to the Words of Allah, Most High:

﴿الْيَوْمَ أُحِلَّ لَكُمُ الطَّيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حِلٌّ لَكُمْ وَطَعَامُكُمْ حِلٌّ لَهُمْ﴾

“Made lawful to you this day are At-Tayyibāt [all kinds of Halāl (lawful) foods, which Allāh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them.”^[1]

And the food of those who were given the Scripture means their slaughtered animals, as explained by Ibn ‘Abbās, may Allah be pleased with them. As for the rest of the disbelievers — apart from the Jews and Christians — their slaughtered animals are not permissible.

If the Muslim or the Jew and Christian slaughter an animal, it is permissible, even if we do not know if the Name of Allah was mentioned over it or not, for it is reported in *Sahih Al-Bukhari* on the authority of ‘A’ishah, may Allah be pleased with her, that some people came to the Prophet ﷺ and said: “O Messenger of Allah! Some people come to us with meat and we do not know if the Name of Allah was mentioned over it or not.” The Messenger of Allah ﷺ said:

«سَمُّوا عَلَيْهِ أَنْتُمْ وَكُلُّوهُ»

“You mention His Name and then eat it.”^[2]

She said: “And they had recently abandoned disbelief.” So here the Prophet ﷺ permitted the sacrifice of those whom we do not know whether or not they mentioned the Name of Allah over it.

[1] *Al-Ma’idah* 5:5.

[2] *Al-Bukhari* no. 5507.

This is because the manner, conditions, and prohibitions of the action of another — if it emanated from those with experience — should not be asked about. The basic principle is that it is correct, unless evidence of its invalidity is established. Likewise, we do not ask about the slaughter of a Muslim, a Jew or a Christian — how did he slaughter it? And, did he mention Allah's Name or not? — because the Prophet ﷺ ate from the food of the Jews and he did not ask them how they slaughtered.

The rule which we have indicated is an extremely valuable one, which is that the basic principle regarding the action of one who is experienced in that action is that it is correct, unless evidence of its invalidity is established. And if we were to insist that the Muslims ask the doer of the deed whether he had completed its conditions and avoided its prohibitions, we would have imposed great difficulty on the Muslims, in contradiction to the guidance of the Prophet ﷺ and his Companions, may Allah be pleased with them.

In short: The sacrifice of one who does not pray is forbidden, and it is not permissible to eat it, neither for those who pray nor for those who do not pray. Likewise, if he denies the obligation of prayer, because he is a disbeliever, unless he has newly embraced Islam and he does not know whether prayer is obligatory or not; such a person is not a disbeliever due to his denial of the obligation, until the truth is made clear to him; he denies it after it is made clear to him, then the ruling upon him is in accordance with what is necessitated by his denial.

Ibn 'Uthaimin

The Ruling on Slaughtering For Those Whom it is Claimed Are *Awliya'* and Others

Q What is the ruling on slaughtering for a dead person claiming that he is a *Wali* of Allah and walls are built over him?



Slaughtering for a dead person such as you have mentioned, claiming that he is a *Wali* of Allah is a form of *Shirk*. The one who slaughters it for the *Wali* is a cursed *Mushrik*, it is considered dead meat, and it is forbidden for the Muslim to eat from it, according to the Words of Allah, Most High:

﴿حُرِّمَتْ عَلَيْكُمْ أَلْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخَنَازِيرِ وَمَا أَهَلَ لِغَيْرِ اللَّهِ بِهِ وَالْمُنْخَفَقَةُ وَالْمَوْقُوذَةُ وَالْمُتَرَدِّيَةُ وَالنَّطِيحَةُ وَمَا أَكَلَ السَّبُعُ إِلَّا مَا ذَكَّيْتُمْ وَمَا ذُبِحَ عَلَى النُّصُبِ﴾

“Forbidden to you (for food) are: Al-Maitah (the dead animals — cattle — beast not slaughtered), blood, the flesh of swine, and that on which Allāh’s Name has not been mentioned while slaughtering (that which has been slaughtered as a sacrifice for others than Allāh, or has been slaughtered for idols) and that which has been killed by strangling, or by a violent blow, or by a headlong fall, or by the goring of horns — and that which has been (partly) eaten by a wild animal — unless you are able to slaughter it (before its death) — and that which is sacrificed (slaughtered) on An-Nusub (stone-altars).”^[1]

And, according to the *Hadith* confirmed on the authority of ‘Ali, may Allah be pleased with him, in which it is stated that the Messenger of Allah ﷺ said:

«لَعَنَ اللَّهُ مَنْ ذَبَحَ لِغَيْرِ اللَّهِ»

“Allah has cursed those who slaughter to other than Allah.”^[2]

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

^[1] *Al-Ma'idah* 5:3.

^[2] Muslim no. 1978.

The Ruling on Animals Slaughtered Beside Graves

Q There are people who slaughter animals beside the grave of one who has died in their country in the past. They say, according to their belief, that he is a *Wali* of Allah, so-and-so, the son of so-and-so. They may also allot portion of their income or their cultivation for them. By these actions they intend to seek blessings, to remove afflictions from their dependants, and to seek what is beneficial for them in their livelihood.

A Slaughtering beside graves, designating a certain place for slaughtering, and allocating some of one's cultivation to be eaten there — all of these belong to those deeds which Islam has forbidden and which are considered major *Shirk*. This is the case if the intent is to seek closeness to the *Wali* or some other created being, hoping to gain some benefit or repel some harm, or hoping for intercession with Allah or other such things which grave worshippers intend.

The Permanent Committee

The Ruling on *Al-Jadaf*

Q Some people among the families of the dead drive animals which they call *Al-Jadaf* for the dead to the graves in order to slaughter it there. Then they share it among those present at the grave. They slaughter it a hundred meters away from the grave. This *Jadaf* may be a sheep, a camel or a cow. I seek advice from Your Eminence, may Allah grant you success.

A Slaughtering at the graveside is forbidden and that which is known as *Al-Jadaf*, due to the intention to draw closer (to the deceased) and the act of worship entailed by it and the Prophet ﷺ cursed:

«مَنْ ذَبَحَ لِغَيْرِ اللَّهِ»

“whomsoever slaughters for other than Allah.”^[1]

As for the family of the deceased making food for those who attend, it is not a part of the Sunnah. The Sunnah is only for food to be prepared for them (i.e., the kin of the deceased), according to what has been confirmed from the order of the Prophet ﷺ to prepare food for the family of Ja'far when they were mourning him after he was killed — may Allah be pleased with him. And may peace and blessings be upon our Prophet, Muhammad.

The Permanent Committee

Imported Slaughtered Animals and Those Whose Status is Unknown

The Ruling on Imported Meats



What is the ruling on eating frozen meat which comes to us from abroad, in particular, chicken meat?



The basic principle concerning meats which come from the People of the Scripture — and they are the Jews and Christians — is permissibility. Just as the basic principle regarding meats which come from Muslim countries is also permissibility. This is the case, even if we do not know how they slaughtered them, or whether they mentioned Allah's Name over them or not. Because the basic principle regarding the deed of one who is experienced in it is that it is done well and correctly, unless it becomes clear that it was not performed well and correctly.

The evidence for this basic principle is the narration confirmed in *Sahih Al-Bukhari* from the *Hadith* of 'A'ishah, may Allah be pleased with her, who said: “A people said: “O Messenger of Allah! Some people come to us with meat and we do not know if

^[1] Muslim no. 1978.

the Name of Allah was mentioned over it or not.” The Messenger of Allah ﷺ said:

«سَمُّوا عَلَيْهِ أَنْتُمْ وَكُلُّوهُ»

“You mention His Name and then eat it.”^[1]

She said: “And they had recently abandoned disbelief.” So in this *Hadith* there is proof that when a deed is done by someone who is experienced, there is no obligation upon us to ask: Did he do it correctly, or not?

Based upon this principle, these meats which come to us from the slaughtered animals of the People of the Scripture are permissible. It is not necessary for us to ask about them, nor to investigate. However, if it became clear to us that these particular imported meats are slaughtered in a manner which is incorrect, then we may not eat them, based upon the words of the Prophet ﷺ:

«مَا أَنْهَرَ أَوْ نَهَرَ الدَّمَ وَذَكَرَ اسْمُ اللَّهِ فَكُلْ غَيْرَ السِّنِّ وَالظُّفْرِ فَإِنَّ السِّنَّ عَظْمٌ وَالظُّفْرُ مَدَى الْحَبْشَةِ»

“Eat that from that which blood has flowed, and over which the Name of Allah has been mentioned, except (that which has been slaughtered using) teeth and nails. As for the teeth, they are bone, and as for the nail; it is the knife of the Ethiopians.”^[2]

And it is not fitting for a man to be obstinate in his religion and make inquiries about things which do not require any investigation. However, if it becomes evident to him that it is invalid and he is certain of it, then it is incumbent upon him to avoid it. But if he is in doubt and is hesitating over whether it was slaughtered in a correct manner or not, then we have two basic principles:

The first principle: That it is correct.

^[1] Al-Bukhari no. 5507.

^[2] Al-Bukhari no. 5544 and Muslim no. 1968.

The second principle: To hesitate; if a person is hesitant about it and leaves it, there is no sin upon him, and if he eats it, there is no sin upon him.

Accordingly, the situation must fall within three cases: Either we know that this person slaughters in a correct way or we know that he does not slaughter in a correct way, and in these two cases, the ruling is known. The third case is that we are in doubt and do not know whether he slaughtered in the correct way or not. The ruling in this case is that the slaughtered animal is permissible and it is not necessary to ask or inquire how he slaughtered it, and whether he mentioned the Name of Allah or not. Rather, what is clear from the Sunnah proves that it is better not to ask and not to inquire. For this reason, when they said: "We do not know if the Name of Allah was mentioned over it or not," he did not say to them: "Ask them whether they mentioned Allah's Name or not." Instead, he said: "You mention His Name and then eat it."

This *Tasmiyah*^[1] which the Prophet ﷺ ordered is not the *Tasmiyah* of slaughter, which is already finished and completed, it is the *Tasmiyah* of eating. Because it is legislated for one who is eating to mention the Name of Allah, the Almighty, the All-Powerful upon eating.

Indeed, the most authoritative view is that mentioning Allah's Name upon eating is an obligation, based upon the order of the Prophet ﷺ to do so, and because when a person does not mention Allah's Name, Satan shares with him in his food and drink.

Ibn 'Uthaimin

The Ruling on Canned Meats



What is the ruling on eating canned meats which come from abroad and on which it is written: "Slaughtered in

^[1] *Tasmiyah*: Mentioning Allah's Name.

accordance with Islamic rites”?

A It is disliked to eat meats imported from foreign countries, due to the doubt regarding their permissibility, even if there are Muslims or People of the Scripture there. Because in most cases, their slaughter is not in accordance with the Islamic Law, as they might slaughter the animals from the napes of their necks, by cutting their heads, and they might enter large machines and die therein before being slaughtered, then their heads are cut off, in order to keep their blood and increase their weight. They may also die from being immersed in hot water in order to pull out their feathers or their hair. In most cases, their slaughter is carried out by people who are not true Muslims, nor People of the Scripture who abide by the Tawrah and the Injil, so they are considered apostates. They also do not mention Allah’s Name when slaughtering, and that is a condition for the permissibility of the slaughtered animal.

Ibn Jibreen

The Ruling on Imported Chicken

Q What is the ruling on chicken meat which comes from abroad already slaughtered and frozen?

A If the chicken which is slaughtered abroad or any other frozen meat comes from the lands of the People of the Scripture, i.e. the Jews and Christians, then it is permissible, because the food of the People of the Scripture is permissible for us according to the evidence from the Noble Qur’ān, as long as there is no known reason to forbid it, such as its being slaughtered in the name of other than Allah, or slaughtered without cutting the throat. However, if it comes from the land of the Zoroastrians or the communists or socialists, or any other idolatrous country, then it is forbidden and one may not eat it.

Ibn Baz

The Ruling on Frozen Chicken

Q What is the ruling on meats imported from abroad and also frozen chicken about whose slaughter we do not know anything, since some of the scholars do not encourage buying them?

A If the above-mentioned meats were imported from the lands of the People of the Scripture, then it is permissible to eat them, as long as you do not know of anything which would be an evidence for its prohibition, based upon the Words of Allah, Most High:

﴿الْيَوْمَ أُحِلَّ لَكُمْ الْطَّيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حِلٌّ لَكُمْ وَطَعَامُكُمْ حِلٌّ لَهُمْ﴾

“Made lawful to you this day are At-Tayyibāt [all kinds of Halāl (lawful) foods, which Allāh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them.”^[1]

The fact that some slaughterhouses in certain countries of the People of the Scripture slaughter the animals in a manner contrary to the Islamic Law does not necessitate the prohibition of slaughtered animals imported from the lands of the People of the Scripture, unless it is known that, that particular animal is from a slaughterhouse which does not slaughter according to the Islamic Law. Because the basic principle is permissibility and validity, unless something which necessitates otherwise becomes known.

Ibn Baz

^[1] Al-Ma'idah 5:5.

The Ruling on the Imported Meats Which Are in the Markets

Q What is the ruling on the meat which is in the markets that was slaughtered abroad, is it permissible to eat it or not?

A If the slaughterer of the animals or the birds is not from the People of the Scripture, such as the disbelievers of Russia and Bulgaria and those like them who are apostates and who reject religion, his slaughtered animals may not be eaten. It does not matter whether he mentioned the Name of Allah over it or not. Because the basic principle is permissibility of eating the slaughtered animals of the Muslims only, and the exception from this is the meat slaughtered by the People of the Scripture, according to the evidence (in the Qur'ān). If the one who slaughters it is from among the People of the Scripture, the Jews or the Christians, as long as his slaughter is by cutting the neck or slitting the throat while it is alive and he mentions the Name of Allah over it, it may be eaten, in accordance with the Words of Allah, Most High:

﴿وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَلٌ لَكُمْ﴾

“The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you^[1]

If he deliberately did not mention Allah's Name over it nor the name of any other, then there is a difference of opinion regarding the permissibility of eating it. But if he mentioned the name of another besides Allah, then it may not be eaten, and it is dead meat, according to the Words of Allah, Most High:

﴿وَلَا تَأْكُلُوا مِمَّا لَمْ يَذْكُرِ اسْمُ اللَّهِ عَلَيْهِ وَإِنَّهُ لَفِسْقٌ﴾

“Eat not (O believers) of that (meat) on which Allāh's Name has not been pronounced (at the time of the slaughtering of the animal) for

^[1] Al-Ma'idah 5:5.

sure it is *Fisq* (a sin and disobedience of Allāh).^[1]

If he shot it in the head with a gun or hit it with an electric shock for example, and it died from it, then it is considered an animal that died from a violent blow, even if he cuts its neck after that. And Allah, Most High has forbidden this in His Words:

﴿حُرِّمَتْ عَلَيْكُمْ أَلْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخَنَزِيرِ وَمَا أَهْلَ لَغَيْرِ اللَّهِ بِهِ وَالْمُتَخَفَّةُ وَالْمَوْفُودَةُ﴾

“Forbidden to you (for food) are: Al-Maitah (the dead animals — cattle — beast not slaughtered), blood, the flesh of swine, and that on which Allāh’s Name has not been mentioned while slaughtering (that which has been slaughtered as a sacrifice for others than Allāh, or has been slaughtered for idols) and that which has been killed by strangling, or by a violent blow,”^[2]

Unless it was slaughtered while it was still alive after being struck on the head — in that case, it may be eaten, according to the Words of Allah, Most High:

﴿وَالْمَوْفُودَةُ وَالْمَرْبُوبَةُ وَالنَّطِيحَةُ وَمَا أَكَلَ السَّبُعُ إِلَّا مَا ذَكَّيْتُمْ﴾

“or by a violent blow, or by a headlong fall, or by the goring of horns — and that which has been (partly) eaten by a wild animal — unless you are able to slaughter it (before its death).”^[3]

So Allah, Most Glorified has made an exception for that which is slaughtered when caught while still alive, because slaughtering has no effect on dead animals.

As for that which is strangled to death or given an electric shock until it dies, it may not be eaten, according to the agreement of the scholars. It does not matter whether the Name of Allah was mentioned over it when strangling it, or delivering the electric shock, or when eating it.

^[1] Al-An’am 6:121.

^[2] Al-Ma’idah 5:3.

^[3] Al-Ma’idah 5:3.

As for the saying of the Messenger of Allah ﷺ:

«سَمُّوا عَلَيْهِ أَنْتُمْ وَكُلُّوهُ»

“You mention Allah’s Name and eat,”^[1]

It was concerning the slaughtered animals of some people who had embraced Islam, they had only recently abandoned disbelief, and it was not known whether or not they had mentioned Allah’s Name over them. So he ﷺ ordered the Muslims who doubted whether those people had mentioned Allah’s Name over their sacrifices to do what was required of them, which was to mention Allah’s Name when eating it, and to consider that the command of those slaughterers to mention Allah’s Name over the animal — which was ordained upon the Muslims when slaughtering — was most likely carried out.

The Permanent Committee

The Ruling on the Slaughter of a Person Whose Beliefs are Unknown and One Who Commits *Shirk* Due to Ignorance

Q May the meat be eaten of an animal slaughtered by one whose beliefs are unknown, and one who is negligent and easygoing regarding sins — when he knows that they are forbidden and one about whom it is known that he supplicates to the jinn without an intention?

A If it is not known that he is guilty of *Shirk*, then his slaughter is permissible, as long as he is a Muslim and he testifies that none has the right to be worshipped except Allah and that Muhammad is the Messenger of Allah. And, if nothing is known of him that would necessitate (a verdict of) disbelief. Then his slaughter is permissible, unless it is known that he has committed some kind of *Shirk*. For example supplicating to the

^[1] Al-Bukhari no. 5507.

jinn or supplicating to the dead and seeking help from them. Because these are forms of major *Shirk* and the sacrifice of such person may not be eaten. Examples of supplicating to the jinn include saying (to them): “Do this,” or “Do that,” or “Give me this,” or “Give me that,” or “Do such-and-such to so-and-so.”

Likewise the one who supplicates to the inhabitants of the graves, or supplicates to the angels and seeks help from them. Or one who swears oaths to them — all of these things are types of major *Shirk* — and we ask Allah to save us and protect us from them.

As for sins, they do not prevent us from eating the sacrifice of one who commits any of them, as long as he does not declare to be permissible. In fact, it is permissible, as long as he slaughtered it in accordance with the Islamic Law.

But as for one who declares the sins permissible, he is considered a disbeliever. For example, one who declares adultery lawful, or drinking alcohol, or interest, or disobedience to one’s parents, or untruthful testimony, or other sinful acts upon whose prohibition there exists a consensus of opinion among the Muslims.

We ask Allah to protect us from all that incurs His Wrath.

Ibn Baz

The Ruling on Meats When the Circumstances of Slaughter is Unknown in the Lands of the Disbelievers

Q Frozen and cold meats are sold here in America and we do not know who slaughtered them, nor how they were slaughtered; may we eat them?

A If the area in which the aforementioned meats were slaughtered consists of none but the People of the Scripture, i.e., the Jews and Christians, then their slaughter is permissible, even if you do not know how they slaughtered them. Because the basic principle is that their slaughtered

animals are permissible, according to the Words of Allah, the Almighty, the All-Powerful:

﴿الْيَوْمَ أُحِلَّ لَكُمُ الطَّيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَلٌ لَكُمْ وَطَعَامُكُمْ حَلَلٌ لَهُمْ﴾

"Made lawful to you this day are At-Tayyibāt [all kinds of Halāl (lawful) foods, which Allāh has made lawful (meat of slaughtered eatable animals, milk products, fats, vegetables and fruits)]. The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you and yours is lawful to them."^[1]

But if there are other disbelievers (not from the People of the Scripture) living in the area, then do not eat it, because of the uncertainty as to whether it is permissible or forbidden. Likewise, if you know that those who sell these meats slaughter them in a way which is contrary to the Islamic Law, such as by strangling or electric shock, then do not eat it, whether the slaughterer was a Muslim or a disbeliever, in accordance with the Words of Allah, the Almighty, the All-Powerful:

﴿حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخِنْزِيرِ وَمَا أَهَلَ لِغَيْرِ اللَّهِ بِهِ وَالْمُسْخَقَةُ﴾
 ﴿وَالْمَوْفُوذَةُ وَالْمُتَرَدِّيَةُ وَالنَّطِيحَةُ وَمَا أَكَلَ السَّبُعُ إِلَّا مَا ذَكَّيْتُمْ﴾

"Forbidden to you (for food) are: Al-Maitah (the dead animals — cattle — beast not slaughtered), blood, the flesh of swine, and that on which Allāh's Name has not been mentioned while slaughtering (that which has been slaughtered as a sacrifice for others than Allāh, or has been slaughtered for idols) and that which has been killed by strangling, or by a violent blow, or by a headlong fall, or by the goring of horns — and that which has been (partly) eaten by a wild animal — unless you are able to slaughter it (before its death)."^[2]

May Allah grant success to the Muslims in understanding the religion, for verily, He is All-Hearing, Near.

Ibn Baz

^[1] Al-Ma'idah 5:5.

^[2] Al-Ma'idah 5:3.

Whoever Was Served Meat and He Did Not Know Whether the Name of Allah Was Mentioned Over it or Not

Q What should we do if we are served meat to eat and we do not know whether the Name of Allah was mentioned over it or not?

A It has been confirmed in *Sahih Al-Bukhari*, on the authority of ‘A’ishah, may Allah be pleased with her, that some people said: “O Messenger of Allah! Some people come to us with meat and we do not know if the Name of Allah was mentioned over it or not.” The Messenger of Allah ﷺ said:

«سَمُّوا عَلَيْهِ أَنْتُمْ وَكُلُّوهُ»

“You mention His Name and then eat it.”^[1]

She said: “And they had recently abandoned disbelief.”

Such people might be ignorant of the subsidiary and exact rulings, which are not known except to those who live among the Muslims. For this reason, the Prophet ﷺ advised those who asked to concentrate their attention on their own action, saying: “You mention His Name and then eat it.” That is, you mention His Name over the food and then eat it.

As for the slaughter of one other than yourselves, whose action is correct, it (i.e. his slaughter) is considered valid and you should not ask about it, because this is a form of stubbornness and obstinacy.

If we were to say that it is necessary to ask about things such as this, we would exhaust ourselves, due to the possibility that every food served to us is not permissible. So if someone invites you to eat and serves food to you, it is possible that the food is unlawful or stolen, and it is possible that the money paid for it

^[1] Al-Bukhari no. 5507.


was unlawful, and it is possible that the meat therein did not have the Name of Allah mentioned over it, and so on.


It is from Allah's Mercy towards His creatures that if an action was performed by one who has experience therein, then what is apparent is that it was done in a manner which meets one's obligations and no sin is attached to a person thereby.

Ibn 'Uthaimin

Animals Slaughtered for Special Occasions and the Like

The Ruling on Slaughtering an Animal as Hospitality Towards a Guest or a Relative

 Slaughtering an animal for other than Allah is forbidden and it is *Shirk*; what is the ruling of the Islamic Law regarding slaughtering an animal for guests or relatives? I request your advice.

 Slaughtering in order to draw closer to the one for whom the animal was sacrificed, or to attract some benefit or repel some harm is *Shirk* and the Prophet ﷺ cursed the one who slaughtered to other than Allah.

As for slaughtering in the Name of Allah, Most High in order to feed a guest or a relative, there is no sin in that.

And through Allah is attained success. May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Slaughtering for a Guest and Out of Generosity to One's Family



The Prophet ﷺ said:

«لَعَنَ اللَّهُ مَنْ ذَبَحَ لِغَيْرِ اللَّهِ»

“Allah cursed the one who slaughters for other than Allah.”^[1]

What is the meaning of this, (bearing in mind that) here in the south, when a person slaughters an animal for a guest or for the members of his household, he says: “In Allah’s Name and according to the religion of the Messenger of Allah, (this is) a charity for the sake of Allah; O Allah! Grant the reward of it to me and the members of my household.”?



What is meant by the *Hadith* is the prohibition of slaughtering for those who are dead among the Prophets and the *Awliya'*, hoping to receive blessings from them. It also refers to slaughtering for the jinn in order to please them and seeking fulfillment of one’s needs or repelling their evil. All of this is major *Shirk* and the one who does it merits Allah’s Curse and His Anger.

As for slaughtering for guests out of hospitality towards them, or out of generosity towards the family, when the sacrifice is done in order to draw closer to Allah, so that He makes it an act of charity for the dead, hoping that the reward from Allah will be given to the dead and the living, this is permissible. Indeed it is an act of kindness for which a reward may be hoped from Allah. Likewise the slaughtered animals on the Day of Sacrifice for the dead and the living.

And may peace and blessings be upon our Prophet, Muhammad.

The Permanent Committee

^[1] Muslim no. 1978.

The Ruling on Slaughtering for a Guest

Q What is the ruling on slaughtering for a guest, when Allah says:

﴿وَمَا أَهْلَ بِهِ لَعَنَ اللَّهُ﴾

and that which is slaughtered as a sacrifice for others than Allāh (or has been slaughtered for idols, on which Allāh's Name has not been mentioned while slaughtering).^[1]

A It is permissible to slaughter an animal for a guest when the Name of Allah is mentioned over it at the time of slaughtering. This is not included in the general meaning of the Words of Allah, Most High:

﴿وَمَا أَهْلَ بِهِ لَعَنَ اللَّهُ﴾

and that which is slaughtered as a sacrifice for others than Allāh (or has been slaughtered for idols, on which Allāh's Name has not been mentioned while slaughtering).^[2]

Rather, what is meant by the Verse is what is sacrificed for other than Allah. Such as slaughtering for the dead and others, in order to draw closer to them. As for slaughtering for a guest, the intent is to show hospitality to him, not to worship him. Because the Messenger ﷺ ordered hospitality towards the guest.

And Allah is the Granter of success. May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Slaughtering on Lawful Occasions

Q What is the ruling on charity I slaughter, and I say to myself or to whoever is with me: "This is a charity for

^[1] Al-Ma'idah 5:3.

^[2] Al-Ma'idah 5:3.

Allah, Most High on the occasion of my father's success, or in honor of him being saved from a car crash," or, on the occasion of any celebration? Your Eminence the *Shaikh*, is it permissible for me to eat from this charity or not, bearing in mind that I do not swear by Allah, nor do I swear an oath that I will do such-and-such. But when this celebration arrives, I say: "This is a charity for Allah, Most High." Please guide me and may Allah reward you regarding what I have mentioned and what is correct way for us to proceed?



The basic principle in actions is that they are based upon the intention, which is a condition for the reward of the action. Therefore it is incumbent upon the Muslim to make the intention to draw closer to Allah, the Almighty, the All-Powerful whenever he gives charity. Then when a lawful occasion comes, such as the arrival of a guest or to encourage a child or the like, and he makes the intention thereby to draw closer to Allah, there is no sin in eating it.

And Allah is the Granter of success. May peace and blessings be upon Allah and upon our Prophet, Muhammad and his family and Companions.

The Permanent Committee

The Ruling on Slaughtering in Order to Glorify a Person or Out of Hospitality Towards Him



It has become the custom of some Arabs to try to gain favor with one another when they are in need. Sometimes, the one seeking to gain favor comes with a sheep, and he will not enter through the door until he has slaughtered it in Allah's Name. And sometimes, when the one seeking to gain favor approaches with the sheep (known as *Al-'Aqirah*), the one whom he approaches takes it and says: "The *'Aqirah* is *Haram*," and he takes it for himself, and slaughters a different sheep out of hospitality for the one seeking favor. Is

it permissible to eat the meat of these two animals or either of them, or is it not permissible?



When a person slaughters a sheep or another animal for some other person, his intention by it might be to show hospitality. If he serves him a slaughtered animal which he and his companions and those invited with him eat; this is permissible. In fact, authentic *Hadiths* encourage and advocate it, for it has been confirmed in the *Hadith* of Abu Hurairah, may Allah be pleased with him, from the Prophet ﷺ that he said:

«مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ فَلْيُكْرِمْ ضَيْفَهُ»

“Whoever believes in Allah and the Last Day should be hospitable to his guest.”^[1]

And it has been confirmed in the *Hadith* of Abu Shuraih Al-Ka’bi from the Prophet ﷺ that he said:

«مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ فَلْيُكْرِمْ ضَيْفَهُ، جَائِزَتُهُ يَوْمُهُ وَلَيْلَتُهُ، الضِّيَافَةُ ثَلَاثَةُ أَيَّامٍ وَمَا بَعْدَ ذَلِكَ فَهُوَ صَدَقَةٌ، وَلَا يَحِلُّ لَهُ أَنْ يَتَوَيَّ عِنْدَهُ حَتَّى يُخْرِجَهُ»

“Whoever believes in Allah and the Last Day should be hospitable to his guest, and he should reward him for a day and a night. And hospitality is for three days. Anything after that is a charity. It is not permissible for him to stay with him until he makes things difficult for him.”^[2]

The intention in slaughtering the animal might be only to glorify him and honor him, whether the sacrifice was served after that as food for him to eat or not. This is not permissible, indeed, it is a form of *Shirk* which merits Allah’s Curse, since it is included in the general meaning of sacrificing for other than Allah. It has been confirmed that ‘Ali, may Allah be pleased with him, said: “The Messenger of Allah ﷺ told me four things:

^[1] Al-Bukhari no. 6019 and Muslim no. 48.

^[2] Al-Bukhari no. 6019, Muslim no. 48 and Abu Dawud no. 3748.

«لَعَنَ اللَّهُ مَنْ لَعَنَ وَالِدَيْهِ وَلَعَنَ اللَّهُ مَنْ ذَبَحَ لِغَيْرِ اللَّهِ، وَلَعَنَ اللَّهُ مَنْ آوَى مُحْدِثًا وَلَعَنَ اللَّهُ مَنْ غَيَّرَ مَنَارَ الْأَرْضِ»

“Allah cursed the one who slaughters for other than Allah; Allah cursed the one who curses his parents; Allah cursed the one who gives refuge to the fugitive from justice; Allah cursed the one who alters the landmarks.”^[1]

Accordingly, it is not permissible to eat this slaughtered animal, even if Allah’s Name was mentioned over it when it is slaughtered. Because deeds are judged according to intentions, and this person intended to present this ‘*Aqirah* as a greeting to other than Allah, in order to glorify that person and merely to honor him, not for him to eat from it.

However, if he presented it alive, and the person from whom favor was sought took it and slaughtered it for his guests, or slaughtered another animal for the guests, it would be permissible to eat from it. Because it was not slaughtered in order to glorify him.

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on *Al-Burhah* or *Al-’Itamah*

Q When an argument or a disagreement takes place between two or three persons, or more — whatever it was about — the village Elder or the *Shaikh* of the tribe comes to examine the case of disagreement. After all aspects of the case have been examined, the cause of the argument has been ascertained, and the one who is mistaken has been identified, they compel the one guilty of the greater wrong to slaughter two or three animals, or sometimes more. Then the other

^[1] Muslim no. 1978.

person, the one who was guilty of a lesser wrong, is obliged to slaughter one animal.

In addition the two disputing parties would give him some other things. Each of disputing parties undertakes the slaughter which he was ordered to do and the community and the judges who ruled in the matter come to eat it. Whether the disputing parties are poor or wealthy, there is no escape for them from these rulings. This custom is called *Al-Burhah* or *Al-Itamah*, and in most cases, they do not contact the government departments there in order to resolve their disputes.

But the thing which I want to know is the ruling on customs such as these, whether they are permitted or not. Is the one who does these things included in the meaning of the words of the Prophet ﷺ:

«لَعَنَ اللَّهُ مَنْ ذَبَحَ لِغَيْرِ اللَّهِ»

"Allah cursed the one who slaughters for other than Allah,"^[1]

or not, bearing in mind that he slaughters and spills blood in order to please a person or persons, and to please the chief or chiefs of the tribe? I request you to advise me on this.



Appointing an arbitrator in disputes is correct and proper. This is done in order to verify the error of the person in the wrong, to give the one against whom he transgressed his rights, to resolve the differences between the two sides, and to judge in disputes in accordance with the truth brought by the Law of Islam, as ordained by the Book (of Allah) and the Sunnah. Allah, Most High says:

﴿وَإِنْ طَائِفَتَانِ مِنَ الْمُؤْمِنِينَ اقْتَتَلُوا فَأَصْلَحُوا بَيْنَهُمَا فَإِنْ بَغَتْ إِحْدَاهُمَا عَلَى الْأُخْرَىٰ فَفَعِّلُوا الْاِتِّبَاعَ حَتَّىٰ يَفْقَهُ إِلَىٰ أَمْرِ اللَّهِ فَإِنْ فَاءَتْ فَأَصْلَحُوا بَيْنَهُمَا بِالْعَدْلِ وَأَقْسِطُوا إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ ﴿٩١﴾﴾

^[1] Muslim no. 1978.

“And if two parties (or groups) among the believers fall to fighting, then make peace between them both. But if one of them outrages against the other, then fight you (all) against the one that which outrages till it complies with the Command of Allāh. Then if it complies, then make reconciliation between them justly, and be equitable. Verily, Allāh loves those who are the equitable.”^[1]

and He says:

﴿لَا خَيْرَ فِي كَثِيرٍ مِّن نَّجْوَاهُمْ إِلَّا مَنْ أَمَرَ بِصَدَقَةٍ أَوْ مَعْرُوفٍ أَوْ إِصْلَاحٍ
بَيْنَ النَّاسِ وَمَن يَفْعَلْ ذَلِكَ ابْتِغَاءَ مَرْضَاتِ اللَّهِ فَسَوْفَ نُؤْتِيهِ أَجْرًا
عَظِيمًا﴾

“There is no good in most of their secret talks save (in) him who orders Sadaqah (charity in Allāh’s Cause), or Ma’rūf (Islāmic Monotheism and all the good and righteous deeds which Allāh has ordained), or conciliation between mankind; and he who does this, seeking the good Pleasure of Allāh, We shall give him a great reward.”^[2]

As for the animals which are slaughtered by the two disputing parties upon the successful conclusion of a dispute — whether they are few or many — if it is an act of charity by those who slaughter them, out of thanks to Allah for the amicable settlement of the dispute and the return of the serenity and brotherhood which existed before, then it is good. In fact Islamic Law advocates it. It is included in the generality of the evidences which encourage good deeds, and giving thanks for blessings. The Companions, like Ka’b bin Malik, may Allah be pleased with them, used to do this.

This is the case, as long as it is not taken as a custom which is made compulsory like the obligatory acts prescribed at certain times and in a certain manner, or, as long as a person does not exceed his financial ability and cause himself difficulties.

^[1] Al-Hujurat 49:9.

^[2] An-Nisa’ 4:114.

Otherwise, it is forbidden.

If the one who makes the judgement and reconciliation forces the two sides, giving them no alternative — such that if those who are forced to implement it refuse, it would be considered something shameful, and the arbitration might fail, and the judgement might collapse, returning the dispute to its previous state, or worse — then this is a judgement which Allah has not permitted. Unless it is done as a punishment for the transgressor or the person in the wrong, in accordance with the degree of the transgression or the wrong he committed, or to discipline him and to placate those against whom he transgressed. This is permissible according to those among the scholars of *Fiqh* who permit financial penalties. In this case and the fine is legally deposited in the treasury, or any of the charitable institutes according to the opinion of the two judges. In this case the person is not forced to slaughter them for the two judges and those who attend the reconciliation meeting.

The ruling of these sacrifices is not that of those who slaughter to draw closer to someone, whose animals are slaughtered for other than Allah, such as idols — and beside the graves of the righteous, or for the jinn, in order to draw closer to them, or to request them to fulfill some need or repel some harm or attract some benefit. It only falls into the category of the forbidden because it is a religious innovation, and implementation of legislation which Allah has not permitted. It is more accurate to include it in the meaning of the Words of Allah, Most High:

﴿أَتَخَذُوا آبَاءَهُمْ وَرُءُسَهُمْ أَرْكَابًا مِن دُونِ اللَّهِ﴾

“They (Jews and Christians) took their rabbis and their monks to be their lords besides Allāh (by obeying them in things that they made lawful or unlawful according to their own desires without being ordered by Allāh),”^[1]

than to include it in the meaning of the *Hadith*:

^[1] *At-Tawbah* 9:31.

«لَعَنَ اللَّهُ مَنْ ذَبَحَ لِغَيْرِ اللَّهِ»

“Allah cursed the one who slaughters for other than Allah.”^[1]

Even though both of these actions are forms of misguidance and falsehood.

And Allah is the Granter of success. May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on an Animal Which is Sacrificed in Order to Effect a Reconciliation Between Two Disputants

Q If some disagreement occurred between two tribes, and it was feared that they might fight each other, and another tribe interceded and sacrificed an animal in the presence of one of them in order that they might gather to eat it, and in order to effect a reconciliation between the two disputants, what would the ruling be on this sacrificed animal?

A If there was no object in slaughtering the animal in the presence of one of the disputants except to gather them in order to effect a rapprochement between them, then gathering to eat it is (considered) a means of help in bringing about a reconciliation. Allah, Most High has commanded this in His Words:

﴿إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ فَأَصْلِحُوا بَيْنَ أَخَوَيْكُمْ وَاتَّقُوا اللَّهَ﴾

*“The believers are nothing else than brothers (in Islāmic religion).
So make reconciliation between your brothers, and fear Allāh”*^[2]

So it is done in order to unite their voices and remove what is in

^[1] Muslim no. 1978.

^[2] Al-Hujurat 49:10.


their souls (i.e. the rancor and enmity) and to honor those who attend the reconciliation. Accordingly, we can see no objection to this.


And Allah is the Granter of success. May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

Rulings on Slaughtering

Being Kind to Animals

 Doctor T.J. 'Adbul-Hadi Askiys submitted a question regarding the transport of animals from Australia to the Middle East, and the poor conditions to which they are subjected during transport, requesting that His Eminence, *Shaikh* 'Abdul-'Aziz bin 'Abdullah bin Baz answer the question; and His Eminence, the *Shaikh's* answer was as follows:

 From 'Abdul-'Aziz bin 'Abdullah bin Baz to the honored brother, Dr. T.J. 'Adbul-Hadi Askiys — may Allah grant us and him success.

May the Peace, Mercy and Blessings of Allah be upon you; as for what follows:

I have studied the contents of your letter regarding the reply which you requested from us about the matter of transporting animals from your city in Australia to the Middle East. This included the poor conditions to which they are subjected during transport, the state of the ships on which they are transported, and the results of crowding and such like.

We call upon Allah to keep us and you and our Muslim brothers upon His Straight Path. We thank you for your concern about this important matter, and we are happy to answer your question in the light of the Noble Book and the purified Sunnah

which encourage complete kindness towards animals. This includes those whose meat is eaten and those whose meat is not eaten. And, there are a number of authentic *Hadiths* concerning the promise (of punishment) for one who torments them, whether it is as a result of starving them or neglect at the time of transporting them, or at other times.

As for the encouragement to behave with complete kindness towards animals and others, it is in the Words of Allah, Most High:

﴿وَأَحْسِنُوا إِنَّ اللَّهَ يُحِبُّ الْمُحْسِنِينَ﴾ (١٩٥)

“and do good. Truly, Allāh loves Al-Muhsinūn (the good-doers)”.^[1]

And the Words of Him, Most High:

﴿إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَنِ﴾

“Verily, Allāh enjoins Al-‘Adl (i.e. justice and worshipping none but Allāh Alone — Islāmīc Monotheism) and Al-Ihsān [i.e. to be patient in performing your duties to Allāh, totally for Allāh’s sake and in accordance with the Sunnah (legal ways) of the Prophet ﷺ in a perfect manner],”^[2]

And, the saying of the Prophet ﷺ as narrated by Muslim and the compilers of the *Sunan*:

﴿إِنَّ اللَّهَ كَتَبَ الْإِحْسَانَ عَلَى كُلِّ شَيْءٍ فَإِذَا قَتَلْتُمْ فَاحْسِنُوا الْقِتْلَةَ وَإِذَا ذَبَحْتُمْ فَأَحْسِنُوا الذَّبْحَ وَلْيُحِدَّ أَحَدُكُمْ شَفْرَتَهُ فَلْيُرِحْ ذَبِيحَتَهُ﴾

“Verily, Allah has enjoined Ihsan upon all things, so if you kill, then kill well and if you slaughter, then perform your slaughtering well. Each of you should make his knife sharp in order to soothe his sacrificial animal.”^[3]

And in another narration:

[1] *Al-Baqarah* 2:195.

[2] *An-Nahl* 16:90.

[3] Muslim no. 1955.

«فَأَحْسِنُوا الذَّبْحَ وَلْيُحِدَّ أَحَدُكُمْ شَفْرَتَهُ وَلْيُرِحْ ذَبِيحَتَهُ»

“then perform your sacrifice well, and each of you should make his knife sharp in order to soothe his sacrificial animal.”

Regarding helping an animal in distress, authentic reports mention that the one who helps such animal would receive a great reward, and forgiveness of his sins, and he has also been praised for his good deed.

It is reported on the authority of Abu Hurairah, may Allah be pleased with him, that Allah's Messenger ﷺ said:

«بَيْنَمَا رَجُلٌ يَمْشِي بِطَرِيقٍ، اشْتَدَّ عَلَيْهِ الْعَطَشُ، فَوَجَدَ بِئْرًا فَنَزَلَ فِيهَا فَشَرِبَ ثُمَّ خَرَجَ فَإِذَا كَلْبٌ يَلْهَثُ يَأْكُلُ الثَّرَى مِنَ الْعَطَشِ، فَقَالَ الرَّجُلُ: لَقَدْ بَلَغَ هَذَا الْكَلْبُ مِنَ الْعَطَشِ مِثْلَ الَّذِي بَلَغَ مِنِّي، فَنَزَلَ الْبِئْرَ فَمَلَأَ خُفَّهُ مَاءً ثُمَّ أَمْسَكَهُ بِيَمِينِهِ حَتَّى رَفَعَهُ، فَسَقَى الْكَلْبَ، فَشَكَرَ اللَّهُ لَهُ فَغَفَرَ لَهُ، قَالُوا: يَا رَسُولَ اللَّهِ، وَإِنَّ لَنَا فِي هَذِهِ الْبَهَائِمِ لَأَجْرًا؟ فَقَالَ: فِي كُلِّ كَبِدٍ رَطْبَةٌ أَجْرٌ»

“While on a journey, a man was suffering from intense thirst, then he found a well. He climbed down into it and drank (water) and then came out and saw a dog lolling its tongue on account of thirst, and he was eating the moistened earth. The man said: ‘This dog has suffered from thirst as I was suffering from it.’ He climbed down into the well, filled his shoe with water, then held it in his mouth until he climbed up and let the dog drink it. So Allah appreciated this act of his and pardoned him.”^[1]

They (the Companions, may Allah be pleased with them) said: “O Messenger of Allah! Is there a reward for us in (helping) animals?”

He said:

^[1] Al-Bukhari no. 6009 and Muslim no. 2244.

«فِي كُلِّ كَيْدٍ رَطْبَةٌ أَجْرٌ»

“There is a reward (in helping) every living creature.”

It is also reported on the authority of Abu Hurairah, may Allah be pleased with him, that he said: “The Messenger of Allah ﷺ said:

«بَيْنَمَا كَلْبٌ يُطِيفُ بِرَكِيَّةٍ قَدْ كَادَ يَقْتُلُهُ الْعَطَشُ إِذْ رَأَتْهُ بَغِيٌّ مِنْ بَعَايَا بَنِي إِسْرَائِيلَ فَتَزَعَتْ مُوقَهَا فَاسْتَقَتْ لَهُ بِهِ فَسَقَتْهُ إِيَّاهُ فَعُفِّرَ لَهَا بِهِ»

“A dog was moving around a well on a hot day, its tongue panting and almost dying of thirst, when a prostitute from the children of Isra’il saw it. She drew water for it in her shoe and gave it to the dog to drink and she was pardoned (for this act of hers).”^[1]

Narrated by Muslim in his *Sahih*.

Just as Islam encourages kindness and orders it for those who deserve it, it forbids that which is opposed to it, such as injustice and transgression, for Allah, Most High says:

﴿وَلَا تَعْتَدُوا إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ﴾

“and transgress not. Verily, Allāh does not like the transgressors.”^[2]

And He, Most High says:

﴿وَمَنْ يَظْلِمْ مِنْكُمْ نَذِقْهُ عَذَابًا كَبِيرًا﴾

“And whoever among you does wrong (i.e. sets up rivals to Allāh), We shall make him taste a great torment.”^[3]

In *Sahih Muslim*, it is reported that Ibn ‘Umar, may Allah be pleased with him, passed by some people who had tied up a bird at which they had been shooting arrows. As soon as they saw Ibn ‘Umar, may Allah be pleased with them, they ran away from

^[1] Al-Bukhari no. 3467 and Muslim no. 2245.

^[2] Al-Baqarah 2:190, 5:87.

^[3] Al-Furqan 25:19.

it. Thereupon Ibn 'Umar, may Allah be pleased with him, said: "Who has done this? Verily Allah's Messenger ﷺ cursed the one who did this."

It is also reported in *Sahih Muslim*, on the authority of Anas, may Allah be pleased with him, that he said: "The Messenger of Allah ﷺ forbade tying up animals until they die." And in another narration from the Prophet ﷺ, it is reported that he said:

«نَهَى رَسُولُ اللَّهِ ﷺ أَنْ تُضَبَّرَ الْبَهَائِمُ أَيُّ أَنْ تُحْبَسَ»

"Do not use any living thing for target practice."^[1]

It is reported on the authority of Ibn 'Abbas, may Allah be pleased with them, that the Prophet ﷺ forbade the killing of four animals:

«النَّحْلَةُ وَالنَّمْلَةُ وَالْهُدُودُ وَالصُّرَدُ»

"The bee, the ant, the hoopoe and the shrike."^[2]

Narrated by Abu Dawud with an authentic chain of narrators.

In *Sahih Muslim*, it is reported that the Messenger of Allah ﷺ said:

«عُذِّبَتْ امْرَأَةٌ فِي هَرَّةٍ سَجَنَتْهَا حَتَّى مَاتَتْ فَدَخَلَتْ فِيهَا النَّارَ، لَا هِيَ أَطْعَمَتْهَا وَسَقَمَتْهَا إِذْ حَبَسَتْهَا وَلَا هِيَ تَرَكَتْهَا تَأْكُلُ مِنْ خَشَاشِ الْأَرْضِ»

"A woman was punished for a cat which she locked up until it died. Because of it, she entered the Hell-fire; she did not feed it or give it a drink, instead she locked it up, and she did not allow it to eat from the insects and small creatures of the earth."^[3]

It is reported on the authority of Abu Waqid, may Allah be pleased with him, in Abu Dawud's *Sunan* that he said: "The Messenger of Allah ﷺ said:

[1] Al-Bukahri no. 5513 and Muslim no. 1956.

[2] Abu Dawud no. 5267 and Ibn Majah no. 3224.

[3] Muslim no. 2242.

«مَا قُطِعَ مِنَ الْبَيْمَةِ وَهِيَ حَيَّةٌ فَهُوَ مَيْتٌ»

“Anything that was cut from an animal while it was living is dead meat.”^[1]

And At-Tirmithi reported it:

«مَا قُطِعَ مِنْ حَيٍّ فَهُوَ مَيْتٌ»

“Whatever is cut from a living thing is (considered) dead.”^[2]

It is reported on the authority of Abu Mas‘ud, may Allah be pleased with him, that he said: “We were with the Messenger of Allah ﷺ on a journey and he went out to answer the call of nature and we saw a *Humarah*^[3] with two young ones. So we took the two young ones and the *Humarah* began to fly above our heads. Then the Prophet ﷺ came and said:

«مَنْ فَجَعَ هَذِهِ بَوْلِدَهَا، رُدُّوا وَلَدَهَا إِلَيْهَا»

“Who separated this bird from its young? Return its young to it!”^[4]

He saw an ants’ nest which we had burnt and he said:

«مَنْ حَرَّقَ هَذِهِ؟»

“Who burnt this?”

We said: “We did.” He said:

«لَا يَنْبَغِي أَنْ يُعَذَّبَ بِالنَّارِ إِلَّا رَبُّ النَّارِ»

“It is not fitting that anyone should punish with fire except the Lord of the Fire.”^[5]

It is reported on the authority of Ibn ‘Umar, may Allah be

[1] Abu Dawud no. 2858 and At-Tirmithi no. 1480.

[2] Al-Hakim no. 7151 and Ibn Majah no. 3217.

[3] *Humarah*: A small bird similar to a sparrow in appearance.

[4] Abu Dawud no. 2675 and Al-Hakim no. 7599.

[5] Abu Dawud no. 2675 and Ad-Darmi no. 2458.

pleased with him, that the Messenger of Allah ﷺ said:

«مَا مِنْ إِنْسَانٍ قَتَلَ عُصْفُورًا فَمَا فَوْقَهَا بِغَيْرِ حَقِّهَا إِلَّا سَأَلَهُ اللَّهُ -
عَزَّوَجَلَّ - عَنْهَا»

"Anyone who kills a sparrow or anything bigger without giving it its right will be asked about it by Allah, the Almighty, the All-Powerful."

They said: "O Messenger of Allah! And what is its right?" He said:

«يَذْبَحُهَا فَيَأْكُلُهَا وَلَا يَقْطَعُ رَأْسَهَا يَرْمِي بِهَا»

"That he slaughters it and eats it, and that he does not cut off its head or use it for target practice."^[1]

Narrated by An-Nasa'i and Al-Hakim, who authenticated it.

Based upon this, it is required to abandon these things out of mercy towards these animals and others.

It is reported on the authority of Ibn 'Abbas, may Allah be pleased with them, that the Prophet ﷺ passed by a donkey whose face had been branded and he said:

«لَعَنَ اللَّهُ الَّذِي وَسَمَهُ»

"Allah has cursed whoever branded it."^[2]

In another narration by Muslim: "The Messenger of Allah ﷺ forbade striking the face and branding the face." And this includes humans and animals.

These evidences, and others bearing the same meaning, prove that it is forbidden to torture animals of all kinds, even those things which the Islamic Law has permitted to be killed, such as the five harmful things (the crow, the scorpion, the rat, the kite, the dog and the voracious predator). And the snake according to

[1] An-Nasai' no. 4354, Al-Hakim no. 7574 and Ahmad 2/166.

[2] Muslim no. 2117.

the narration of Al-Bukhari.

The literal meanings, as well as those understood from all of this, demonstrate the care which Islam gives to animals, whether it be by doing something of benefit, preventing some harm from them.

It is an obligation, in case of those animals whose care has been encouraged and whose punishment has been warned against — no matter in what circumstances we come into contact with them — to give a high priority to them and take great concern regarding them. Especially the cases of the grazing animals mentioned. This is because they command respect based upon their value as food and wealth. There are some rulings in the Islamic Law relating this that pertain to acts of obedience and acts which bring one closer to Allah on the one hand, and on the other hand, because they are subjected to all kinds of hardships when being transported, moved in large quantities, and over long distances, which might result in packing them so tight that it causes death to the weakest of them. Hunger, thirst and the spread of diseases and other harmful conditions may also result which require urgent inspection and serious study on the part of those responsible to provide a comfortable and comprehensive means of moving and transporting them. This includes providing food and water and other such things, such as ventilation, treatment, separating the weak from the strong and dangerous, and the sick from the healthy, at all points of the journey until they reach the market, as much as is possible. And these days, this is something entirely possible for investment organizations, the individuals, and the importing and exporting companies. It is an obligation upon the owner and those under whose authority they may be (such as the importers, exporters etc.) to spend on them in a reasonable manner.

Among those things which are regrettable and reprehensible — and these are things that have been explained and warned against — are the methods used today to slaughter animals whose meat may be eaten in most countries of the outside

world. The measures used to facilitate slaughtering, may include punishing them with electric shocks to the brain, in order to stun them, then passing hooks through them which lift them and hang them upside down while they are still alive, while an electric conveyor belt carries them until they reach the place of the person who slaughters them. This occurs in some slaughterhouses and canning factories.

Then plucking the feathers of chickens and birds while they are still alive, or plunging them into extremely hot water while they are alive, or inflicting hot steam on them to remove the feathers, claiming that these methods are more merciful for the animal to be slaughtered.

All of this contain elements that are known to contradict the evidences obligating that they be treated well, and contradicting the Islamic Law's requirement of mercy towards them. Every action that conflicts with Islamic Law is considered transgression and injustice, for which the doer will be held accountable. This is based upon what we have previously mentioned, as well as the authentic *Hadith*:

«إِنَّ اللَّهَ لَيَقْتَصُّ لِلشَّاةِ الْجُلْحَاءِ مِنَ الشَّاةِ الْقَرْنَاءِ»

"Verily, Allah recompenses the hornless sheep from the horned sheep."^[1]

So how about one who understands injustice and its evil consequences? Based on the evidences of the Islamic Law and the things necessitated by that, the scholars of Islamic Jurisprudence have categorized what is obligatory and preferred, or forbidden and disliked, in the case of animals in general, and animals for slaughter that are permissible to eat in particular.

We should mention a number of those things relating to the matter of kindness towards them when slaughtering them, these include the following which are preferred:

^[1] Muslim no. 2582 and Ahmad 2/235 no. 7203.

1. Providing water for the animals destined to be slaughtered, in accordance with the aforementioned *Hadith*:

«إِنَّ اللَّهَ كَتَبَ الْإِحْسَانَ عَلَى كُلِّ شَيْءٍ»

“Verily, Allah has enjoined *Ihsan* upon everything.”^[1]

2. That the instrument of slaughter should be sharp, and good, and that the slaughterer pass it over the place of slaughter with strength and speed. The place of slaughter for the camel is the upper part of the larynx, and the throat for other animals that it is possible to slaughter.
3. To slaughter the camel standing, with its left foreleg tied, facing towards the *Qiblah*, if it is possible.
4. Animals other than the camel should be slaughtered while they are lying down on their left sides, if that is easier for the slaughterer. He should place his foot on the upper side of its neck, without binding its forelegs or its hind legs, and without twisting or contorting any part of it, or breaking any bones before its soul leaves its body and it ceases moving. It is also disliked to dislocate its neck or to slaughter it while another animal is watching.

The above-mentioned are some of the things which are preferred when slaughtering animals, out of mercy to them and kindness towards them, and it is disliked to contradict them by doing things in which there is no kindness, such as pulling it by its legs.

It has been narrated by ‘Abdur-Razzaq in *Mawquf* form that Ibn ‘Umar, may Allah be pleased with them, saw a man pulling a sheep by its legs in order to slaughter it, and he said to him: “Woe to you! Take it to its death in a kind manner.”

It is disliked to sharpen the knife while the animal is watching at the time of slaughtering. This is according to the narration

^[1] Muslim no. 1955.

confirmed in Imam Ahmad's *Musnad*, on the authority of Ibn 'Umar, may Allah be pleased with them, in which it is stated that the Messenger of Allah ﷺ said that the knife be sharpened and concealed from the animals. And the narration confirmed in the *Al-Mu'jam Al-Kabir* and *Al-Mu'jam Al-Awsat* by At-Tabarani — and all of the men in its chain of narration are trustworthy — on the authority of 'Abdullah bin 'Abbas, may Allah be pleased with them, who said: "The Messenger of Allah ﷺ passed by a man who had placed his foot on the upper side of a sheep while he was sharpening his knife and it was observing him with its eyes. He said:

«أَفَلَا قَبْلَ هَذَا؟ أَتُرِيدُ أَنْ تُمِيتَهَا مَوْتَيْنِ»

"Would you not do this before? Do you wish to kill it twice?"^[1]

As for animals whose slaughter is not possible, such as wild game — like the runaway camel whose slaughter is not possible — it is permissible to shoot it with an arrow or something else that will cause its blood to flow, other than with a weapon made of bone or nail, after mentioning Allah's Name. When it is killed by an arrow, it is permissible to eat it, because its death in that case falls under the ruling of an animal whose slaughter is ordained according to the manner prescribed by the Islamic Law. This is the case as long as it is not possible that it died from other than the arrow, or due to something else.

This is what we have mentioned as advice regarding your request; it is not a comprehensive list of what has been reported and authenticated regarding animals of all kinds. Islam is the religion of mercy, the Law of *Ihsan*, the complete way of life and the Path which leads to Allah and the Abode of His Generosity. Therefore it is an obligation to call (the people) to (worship) Him and to make Him the Judge in their affairs, and to strive to spread the word about Him among those who do not know Him, and to inform the masses of the Muslims about that which

[1] At-Tabarani 11/333 no. 11916 and Al-Awsat 4/361 no. 3614.

they are ignorant regarding its (i.e., Islam's) rulings and its objectives, seeking Allah's Face.

The objectives of Islamic Legislation are the utmost in fairness and wisdom. It does not prohibit (eating) every beneficial animal, as opposed to what the Buddhists believe, nor does it permit (eat) every harmful animal, as opposed to the belief of those who eat every obnoxious thing — such as the pig and predatory animals and other things which fall under the same ruling as them. There is no injustice, nor is there neglect of the sanctity of anything sacred, including lives, property and honor.

We thank Allah for His blessings, the greatest of which is Islam, and we call upon Him to support His religion and elevate His Word, and not to make us a *Fitnah* for the disbelieving people because of our deficiencies.

May peace and blessings be upon our Prophet, Muhammad, the conveyor of the Message in the clearest manner, and upon his family, and those who follow his guidance until the Day of Judgement. May the peace, mercy and blessings of Allah be upon you.

Ibn Baz

The Islamic Method of Slaughtering Animals



What is the correct Islamic method of slaughtering animals?



A similar question to this was received by the Presidency and His Eminence, the *Mufti, Shaikh* Muhammad bin Ibrahim — may Allah have mercy on him — gave a clear answer, the text of which is as follows:

This department has received some questions regarding the legislated manner of *Dhabh* and *Nahr*.^[1] The questioner says

^[1] *Dhabh* is normally used to refer to slaughtering in general. *Nahr* means to cut the throat and is normally used to refer to slaughtering a camel.

that he has witnessed and knows of things which do not conform to the Book of Allah and the Sunnah of His Messenger ﷺ. Since this includes the particular and the general, we considered that the answer should be general in order to fulfill our obligation and to advise the (Muslim) community.

We say: You should know — may Allah grant us and you success — that slaughtering according to Islamic Law has conditions and *Sunan* attached to it, and therefore we shall begin with a general *Hadith*, after which we shall mention the conditions and the *Sunan*.

As for the *Hadith*, Muslim and the compilers of the *Sunan* recorded that Shaddad bin Aws, may Allah be pleased with him, narrated that Allah's Messenger ﷺ said:

«إِنَّ اللَّهَ كَتَبَ الْإِحْسَانَ عَلَى كُلِّ شَيْءٍ فَإِذَا قَتَلْتُمْ فَأَحْسِنُوا الْقِتْلَةَ وَإِذَا ذَبَحْتُمْ فَأَحْسِنُوا الذَّبْحَ وَلْيُحِدِّ أَحَدُكُمْ شَفْرَتَهُ وَلْيُرِحْ ذَبِيحَتَهُ»

"Verily, Allah has enjoined Ihsan upon all things, so if you kill, then kill well and if you slaughter, then perform your slaughtering well, and each of you should make his knife sharp in order to soothe his sacrificial animal."^[1]

As for the conditions, they are four in number:

1. The fitness of the slaughterer: That he be discerning, whether he be a rational Muslim or one of the People of the Scripture whose parents are both from the People of the Scripture. The basis for this is in a *Hadith* confirmed in the Two *Sahihs*, on the authority of 'Umar bin Al-Khattab, may Allah be pleased with him, who said: "Allah's Messenger ﷺ said:

«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ وَإِنَّمَا لِكُلِّ امْرِئٍ مَّا نَوَىٰ»

"Deeds are according to intentions, and every person shall have what he intended."^[2]

[1] Muslim no. 1955.

[2] Al-Bukhari no. 1 and Muslim no. 1907.

And, the *Hadith* confirmed in the *Musnad* of Imam Ahmad and the *Sunan* of Abu Dawud, on the authority of ‘Abdullah bin ‘Amr bin Al-‘As, may Allah be pleased with them, from the Prophet ﷺ who said:

«مُرُوا أَبْنَاءَكُمْ بِالصَّلَاةِ لِسَبْعِ سِنِينَ وَاضْرِبُوهُمْ عَلَيْهَا لِعَشْرِ سِنِينَ وَفَرِّقُوا بَيْنَهُمْ فِي الْمَضَاجِعِ»

“Order your children to pray from seven years and beat them if they do not do so by ten years and separate them in their beds.”^[1]

So every adult and every discerning person is described as rational. This is why the intention to perform an act of worship from a discerning person is correct. Allah, Most High, said:

﴿وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلْالٌ لَكُمْ﴾

“The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you”^[2]

It has been confirmed in *Sahih Al-Bukhari*, on the authority of Ibn ‘Abbas, may Allah be pleased with them, that he explained their food as their slaughtered animals.

2. The instrument: It is permissible to use any instrument that causes the blood to flow by its blade. Except for teeth and claws. The basis for this is in the *Hadith* narrated by Al-Bukhari in his *Sahih* from the Prophet ﷺ, who said:

«مَا أَنَهَرَ الدَّمَ وَذُكِرَ اسْمُ اللَّهِ فَكُلْ لَيْسَ السِّنُّ وَالظَّفَرُ»

“Any (permissible) animal whose blood was let, you may eat, except with teeth and claws.”^[3]

3. Cutting *Al-Hulqum* — which is the windpipe — and *Al-Mari*’

[1] Abu Dawud no. 494 and Ahmad 2/187.

[2] *Al-Ma'idah* 5:5.

[3] *Al-Bukhari* no. 5509.

— which is the esophagus — and the two jugular veins. The basis of this is the *Hadith* confirmed in the *Sunan* of Abu Dawud, on the authority of Abu Hurairah, may Allah be pleased with him, who said: “The Messenger of Allah ﷺ forbade the cutting of Satan,” (Ibn ‘Abbas, may Allah be pleased with them, added:) “That is the animal which is slaughtered and its skin is cut, but the jugular veins are not cut.” And in the *Sunan* of Sa‘id bin Mansur, on the authority of Ibn ‘Abbas, may Allah be pleased with them, that he said: “If the blood is spilled and the jugular is cut, then eat.” And its chain of narrators is *Hasan*. The location for cutting that was mentioned is the throat and the larynx, that is the depression between the start of the neck and the chest. It is not permissible in any other place, according to the consensus of the scholars. ‘Umar, may Allah be pleased with him, said: “Slaughtering is in the larynx and the throat.” And it was confirmed in the *Sunan* of Ad-Daraqutni, on the authority of Abu Hurairah, may Allah be pleased with him, that he said: “The Prophet ﷺ sent Budail bin Warqa‘ to shout out in the roads between the mountains of Mina that the slaughter is in the throat and the larynx.”

4. The *Tasmiyyah*: The slaughterer must say, as he is moving his hand during the slaughter: “*Bismillah*”; the basis of this is in the Words of Allah, Most High:

﴿وَلَا تَأْكُلُوا مِمَّا لَمْ يُذَكِّرْ أَسْمُ اللَّهِ عَلَيْهِ وَإِنَّهُ لَفِسْقٌ﴾

“Eat not (O believers) of that (meat) on which Allāh’s Name has not been pronounced (at the time of the slaughtering of the animal), for sure it is *Fisq* (a sin and disobedience of Allāh).^[1]”

And He, Most High says:

﴿فَكُلُوا مِمَّا ذَكَرَ أَسْمُ اللَّهِ عَلَيْهِ﴾

^[1] *Al-An’am* 6:121.

“So eat of that (meat) on which Allāh’s Name has been pronounced (while slaughtering the animal),^[1]

So Allah, the Almighty, the All-Powerful has distinguished between the two cases and distinguished between the two rulings. But if he failed to mention Allah’s Name due to forgetfulness, his slaughtered animal is permissible, according to the narration of Sa’id bin Mansur in his *Sunan* from the Prophet ﷺ, who said:

«ذَبِيحَةُ الْمُسْلِمِ حَلَالٌ وَإِنْ لَمْ يُسَمَّ إِذَا لَمْ يَتَعَمَّدْ»

“The animal slaughtered by a Muslim is permissible even if he did not mention Allah’s Name over it, as long as it was not intentional.”^[2]

If any of these conditions is not fulfilled, the slaughtered animal is not permissible.

As for the *Sunan*, they are:

- I & 2. That the instrument be sharp and that it be implemented with strength, in accordance with the words of the Prophet ﷺ:

«وَلْيُحِدَّ أَحَدُكُمْ شَفْرَتَهُ وَلْيُرِخْ ذَبِيحَتَهُ»

“Each of you should sharpen his knife and he should soothe his sacrificial animal.”^[3]

- 3 & 4. Sharpening the knife while the animal to be slaughtered does not see it, and concealing the sacrificial animal from the other animals at the time of slaughter. This is based upon the *Hadith* confirmed in the *Musnad* of Imam Ahmad, on the authority of ‘Abdullah bin ‘Umar, may Allah be pleased with them, in which he said that the Messenger of Allah ﷺ ordered knives to be sharpened and to hide it (i.e.,

[1] *Al-An’am* 6:118.

[2] *Erwa-ul-Ghaleel* no. 2537 and *Al-Baihaqi* 9/240.

[3] *Muslim* no. 1955 and *Ibn Majah* no. 3170.

the slaughter) from the other animals. According to the *Hadith* which was confirmed in *Al-Mu'jam Al-Kabir* and *Al-Mu'jam Al-Awsat* by At-Tabarani — whose narrators are all reliable — on the authority of 'Abdullah bin 'Abbas, may Allah be pleased with them, he said: "The Messenger of Allah passed by a man who had placed his foot on the upper side of a sheep while he was sharpening his knife, and it was observing him with its eyes and he said:

«أَفَلَا قَبْلَ هَذَا؟ أَتُرِيدُ أَنْ تُمِيتَهَا مَوْتَيْنِ»

"Would you not do this before? Do you wish to kill it twice?"^[1]

5. Facing it towards the *Qiblah*, because the Messenger of Allah ﷺ did not slaughter any animal or offer any sacrificial beast unless he had turned it to face the *Qiblah*. The camel should be standing, and tied by its left foreleg, while the sheep and the cow are placed on their left sides.
6. Delaying the cutting of its neck and skinning it until it is cold, i.e., after its soul has departed. This is based upon the *Hadith* of Abu Hurairah, may Allah be pleased with him: "The Prophet ﷺ sent Budail Ibn Warqa' Al-Khaza'i to shout out in the roads between the mountains of Mina, with words (of advice), to call out (to the people) on a gray camel, among which were: "Do not hurry the souls before they die." Narrated by Ad-Daraqutni.

Slaughter According to the Islamic Law

Q When slaughtering, some people cut the neck of the animal at two intervals. They pass the knife over its throat until it reaches the jugular vein, then they wait a while. After that, they cut the (second) jugular, then the animal dies. Regarding this, they say that it is not fitting to cut its neck in one motion, although some people do so, and they

^[1] At-Tabarani 11/333 no. 11916 and Al-Awsat 4/361, no. 3614.

consider this to be a form of kindness to the animal, since the Messenger commanded that the knife be sharpened and the animal be soothed in the *Hadith*. What is your advice to all regarding this matter?



It is better to cut first the larynx, the esophagus and the jugular veins and they are two veins on either side of the esophagus. Then one should leave it until all of the blood has come out, because blood remaining in the veins might cause the meat to rot. Then once the bleeding has ceased, after that, one may cut the neck. If one cuts the neck at the start, or cuts the bone, there is no objection to that. And Allah knows better.

Ibn Jibreen

Confining Oneself to What Was Narrated When Mentioning Allah's Name is Better



A questioner is asking: According to some people — and they are known as As-Sadah, the Darwishis — and according to the common people, if one of them slaughters a sheep, he says: “*Bismillah, Allahu Akbar*” (In the Name of Allah, Allah is Most Great), and they believe that if one of them says when slaughtering: “*Bismillahir-Rahmanir-Rahim*” (In the Name of Allah, the Most Beneficent, the Most Merciful) when mentioning Allah's Name, then he must be merciful to the sheep, and so he cannot slaughter it. What is the ruling of Islam on this? And what is your opinion of their saying?



Slaughtering the animal should not be abandoned due to this. Rather, it should be completed, and the slaughterer should be taught to confine himself when mentioning Allah's Name to what was narrated from the Prophet ﷺ. That is to say when slaughtering: “*Bismillahi Wallahu Akbar*” (In the Name of Allah and Allah is Most Great).

The Ruling on the Sacrificial Animal Which Does not Move When Being Slaughtered

Q Is it correct that if the sacrificial animal does not move when its throat is being cut with the knife that it is not permissible to eat it, and that it is considered dead meat?

A This ruling applies if it is ill, and close to death, and while slaughtering it in that state it does not move any of its limbs when its neck is cut, even its tail. As for an animal which is not ill, in most cases, it moves when it is slaughtered and it must struggle. However, after cutting and the slaughter is finished, then it is not necessary that the movement continue. Indeed, if the neck was cut quickly and it died, it is permissible to eat.

Ibn Jibreen

The Ruling on a Woman's Slaughter

Q Is it permissible for a woman to slaughter an animal? And is it permissible to eat from it?

A It is permissible for a woman to slaughter an animal, the same as a man, as has been confirmed by the Sunnah from the Messenger of Allah ﷺ. It is permissible to eat from the animal she has slaughtered, if she is a Muslim or one of the People of the Scripture and the animal was slaughtered according to the Islamic Law, even if a man was available to do it for her. It is not a condition for the permissibility of her sacrificial animal that there be no man present.

Ibn Baz

Q Is it permissible for a man to eat from the meat of an animal slaughtered by a woman?

A Yes, it is permissible for a Muslim man to eat from the meat of any animal slaughtered by a woman which the Islamic Law has permitted us to eat. This is in accordance with

the basic principle of permissibility and the narration of Al-Bukhari — may Allah have mercy on him — on the authority of Ka'b bin Malik, may Allah be pleased with him, which states that the Prophet ﷺ was asked about a woman slaughtered a sheep with a stone, and he ordered that it be eaten.

The Permanent Committee

Q Is it permissible for a woman to slaughter, that is a sacrificial animal, or is it not permissible for a woman to slaughter?

A The basic principle in the rulings of the Islamic Law is that men and women both are included in them, unless there is some evidence which proves that it is particular (for men only or for women only). Slaughtering is one of the rulings which is common to (men and women). We know of no evidence to show that it is particular for men, and the general evidences proving the legality of slaughtering include men and women. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

Slaughtering by Electric Shock

Q What is the ruling on the meat of animals slaughtered in Muslim countries by way of an electrical instrument. The electric shock is used on the animal so that it falls down on the ground, then the slaughterer slaughters it immediately after it falls to the ground?

A If the matter is as described, that the animal is slaughtered immediately after it falls to the ground following the shock from the electrical instrument — and if it was still alive when he slaughtered it — then it is permissible to eat it. But if his cutting takes place after its death, it is not permissible to eat it, because it would fall under the classification of an animal killed by a blow, and Allah has forbidden it, unless it was

slaughtered. Slaughtering (i.e., cutting the neck) has no effect unless it is confirmed that it is alive, by it moving its hind leg or its foreleg, or the flow of its blood, or the like, which would prove that it was still alive until the processes slaughter was finished. Allah, Most High says:

﴿حُرِّمَتْ عَلَيْكُمْ أَلْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخَنَزِيرِ وَمَا أَهْلَ لِبَعْرِ اللَّهِ بِهِ وَالْمَنْخِقَةُ
وَالْمَوْفُوذَةُ وَالْمَمْرُؤَةُ وَالنَّطِيحَةُ وَمَا أَكَلَ السَّبُعُ إِلَّا مَا ذَكَّيْتُمْ﴾

“Forbidden to you (for food) are: Al-Maitah (the dead animals — cattle — beast not slaughtered), blood, the flesh of swine, and that on which Allāh’s Name has not been mentioned while slaughtering (that which has been slaughtered as a sacrifice for others than Allāh, or has been slaughtered for idols) and that which has been killed by strangling, or by a violent blow, or by a headlong fall, or by the goring of horns — and that which has been (partly) eaten by a wild animal — unless you are able to slaughter it (before its death).^[1]

So He has permitted those grazing animals which were afflicted by harm under the condition that they are slaughtered; if not, it is forbidden to eat them.

The Permanent Committee

If One of the People of the Scripture Slaughters an Animal and He Does not Mention Allah’s Name Over it

Q If one of the People of the Scripture slaughtered a sheep as a Muslim does, but he did not mention Allah’s Name over it, because they believe in the trinity, is it permissible to eat this slaughtered animal?



A If one of the People of the Scripture slaughters an animal and we know that he mentioned Allah’s Name over it,

^[1] Al-Ma’idah 5:3.

then it is permissible to eat it, because it is included in the generality of Allah's Words:

﴿وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَلٌ لَكُمْ﴾

"The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you"^[1]

But if we know that he uttered the name of other than Allah, then it is not permissible to eat it, because that is included in the generality of the Words of Allah, Most High:

﴿وَلَا تَأْكُلُوا مِمَّا لَمْ يُذَكَّرْ اسْمُ اللَّهِ عَلَيْهِ وَإِنَّهُ لَفِسْقٌ﴾

"Eat not (O believers) of that (meat) on which Allāh's Name has not been pronounced (at the time of the slaughtering of the animal) for sure it is Fisq (a sin and disobedience of Allāh)."^[2]

If we are ignorant over whether he mentioned Allah's Name or left it, then it is permissible for us to eat from it. This is because the basic principle is that their slaughtered animals are permissible, according to the Words of Allah, Most High:

﴿وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَلٌ لَكُمْ﴾

"The food (slaughtered cattle, eatable animals) of the people of the Scripture (Jews and Christians) is lawful to you"^[3]

The Permanent Committee

A Sheep Was Run Over and He Slaughtered it Before it Died

Q A sheep was run over by a car and its back and its leg were broken. So I hurried over to it while it was still alive and slaughtered it while it was walking and stumbling. After I had slaughtered it and skinned it, it was said to me

^[1] Al-Ma'idah 5:5.

^[2] Al-An'am 6:121.

^[3] Al-Ma'idah 5:5.

that this sheep was forbidden, so I left it. I request a reply for the ruling on this slaughtered animal.



If the matter is as you have stated, then this slaughtered animal is permissible, because you slaughtered it while it was still alive, in accordance with the Words of Allah, Most High:

﴿حُرِّمَتْ عَلَيْكُمْ أَلْمَيْتَةُ وَالْدَّمُ﴾

"Forbidden to you (for food) are: Al-Maitah (the dead animals — cattle — beast not slaughtered), blood, [1]

﴿وَمَا أَكَلَ السَّبُعُ إِلَّا مَا ذَكَّيْتُمْ﴾

"and that which has been (partly) eaten by a wild animal — unless you are able to slaughter it (before its death)" [2]

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Eating an Animal Killed by Cutting the Spinal Cord



The following question was received by the General Presidency for the Administrations of Scientific Researches and Religious Verdicts, Preaching and Guidance:

What is the ruling on eating a bull killed by first severing its spinal cord, then smashing its brain before killing it with a knife? Is it lawful or is considered a dead animal?



The Department answered as follows: This question requires clarification. If the neck of the bull or any other such animal was struck so that its spinal cord was cut, and the

[1] Al-Ma'idah 5:3.

[2] Al-Ma'idah 5:3.

brain was smashed, and it died before it was slaughtered, then in this situation, it falls under the category of dead meat. Because it was not slaughtered in accordance with the Islamic Law. However, if it was slaughtered in accordance with the Islamic Law after the above-mentioned deed was done to it and before it died, then it would be permissible, according to the Words of Allah, Most High:

﴿إِلَّا مَا ذَكَّيْتُمْ﴾

“unless you are able to slaughter it (before its death).”^[1]

But it should be known that it is not permissible for a Muslim to strike an animal on the head or the neck or anywhere else before slaughtering it with the intention of making it fall down to facilitate the slaughter. But he may resort to other means than this detestable act to assist in the slaughter, such as by tethering it with ropes and the like, so that it is possible for him to slaughter it.

And Allah is the Granter of success. May peace and blessings be upon His servant and His Messenger Muhammad, and upon his family and Companions.

The Permanent Committee

The Ruling on Eating an Untamed Camel if it Was Cut in a Place Other Than the Normal Place of Slaughter

Q All praise is due to Allah, and may peace and blessings be upon him after whom there is no Prophet, and upon his family and Companions. As for what follows:

The Permanent Committee for Scientific Researches and Religious Verdicts studied the following inquiry from a questioner:

“A camel wanted to eat its owner, so he killed it with an

^[1] *Al-Ma'idah* 5:3.

arrow or something else in a place other than the normal place of slaughter; is it permissible to eat it?



Mentioning Allah's Name over the sacrifice is prescribed; Allah, Most High says:

﴿فَكُلُوا مِمَّا ذُكِرَ اسْمُ اللَّهِ عَلَيْهِ إِنْ كُنْتُمْ بِآيَاتِهِ مُؤْمِنِينَ﴾

So eat of that (meat) on which Allāh's Name has been pronounced (while slaughtering the animal),^[1]

And He, Most High says:

﴿وَلَا تَأْكُلُوا مِمَّا لَمْ يُذَكَّرْ اسْمُ اللَّهِ عَلَيْهِ﴾

"Eat not (O believers) of that (meat) on which Allāh's Name has not been pronounced (at the time of the slaughtering of the animal),"^[2]

In the Two *Sahihs*, it is reported that the Prophet ﷺ said:

«مَا أَنْهَرَ الدَّمَ وَذُكِرَ اسْمُ اللَّهِ عَلَيْهِ فَكُلُوهُ»

"That from which the blood was let, and over which the Name of Allah was mentioned, you may eat."^[3]

Shaikh Al-Islam Ibn Taimiyyah said: "Mentioning the Name of Allah over it is an obligation according to the Qur'ān and Sunnah, and it is the view of the majority of the scholars."

According to this, in the case in question, if it is not possible to reach the place of slaughter (i.e. the neck), he may wound it wherever it is possible, such as by stabbing it in the thigh or another place, as he would do with game which is difficult to catch. By such means it is considered permissible, according to the majority of the scholars. The basic principle in this is in the narration confirmed in the Two *Sahihs*, on the authority of Rafi' bin Khadij, may Allah be pleased with him, in which it is stated

[1] *Al-An'am* 6:118.

[2] *Al-An'am* 6:121.

[3] *Al-Bukhari* no. 2488 and *Muslim* no. 1968.

that a camel became wild among the people, so a man shot an arrow at it and killed it. The Prophet ﷺ said:

«إِنَّ لِهَذِهِ الْبَهَائِمِ أَوَايِدَ كَأَوَايِدِ الْوَحْشِ فَمَا غَلَبَكُمْ مِنْهَا فَاصْنَعُوا بِهِ هَكَذَا»

“Verily, this camel has become untamed, like wild animals, so if you find any animal becoming wild, treat it in the same manner.”^[1]

But if he reached it while it was still living, then he should slaughter it as well, whenever that is possible, according to the words of the Prophet ﷺ regarding hunting:

«فَأَذْرَكْتُهُ حَيًّا فَادْبَحْهُ»

“If you reach it while it is still alive, then slaughter it.”^[2]

The Permanent Committee

The Ruling on Killing Animals With an Electric Shock

Q The Permanent Committee for Religious Verdicts received a letter from brother Sayyid ‘Aziz Pasha, General Secretary of the Federation of Islamic Societies in London, in which he informed us that he had received a letter from the British Royal Society for the Prevention of Cruelty to Animals requesting him to convince the domestic Islamic Societies in Britain to accept the eating of animals which had been given an electric shock prior to slaughtering. He mentioned that this Society had indicated in its letter that the highest Judge in Tanzania had delivered a speech to the people in which he said that there is no evidence in the Qur’ān to prohibit eating the meat of animals which had been given an electric shock before slaughtering them. And the aforementioned person sought the correct legal verdict on

^[1] Al-Bukhari no. 2488 and Muslim no. 1968.

^[2] Muslim no. 1929.

this. We request from your Eminence to kindly issue a legal verdict regarding this matter and to communicate it to us so that we may be able to answer the aforementioned person with the necessary information.



The Committee answered as follows:

Firstly: If the electric shock was applied to its head or it was given an electric current for example, then it died before it could be slaughtered, it would be considered an animal that died from a blow, and may not be eaten. This is the case even if its neck was cut or *Nahr* was performed to its throat after that. And Allah, Most High has forbidden it in His Words:

﴿حُرِّمَتْ عَلَيْكُمْ أَلْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخَنَازِيرِ وَمَا أَهَلَ لِغَيْرِ اللَّهِ بِهِ وَالْمُنْخَنِقَةُ
وَالْمَوْقُوذَةُ وَالْمُتَرَدِّيَةُ﴾

“Forbidden to you (for food) are: Al-Maitah (the dead animals — cattle — beast not slaughtered), blood, the flesh of swine, and that on which Allāh’s Name has not been mentioned while slaughtering (that which has been slaughtered as a sacrifice for others than Allāh, or has been slaughtered for idols) and that which has been killed by strangling, or by a violent blow, or by a headlong fall, [1]

The scholars of Islam are in agreement that slaughtered animals such as this are forbidden. But if it was reached while it was still alive after being hit by electric shock, as mentioned, or the like, and *Dhabh* or *Nahr* was performed on it, it would be permissible to eat it. This is according to the Words of Allah, Most High, at the end of this Verse, regarding the animal killed by strangling:

﴿وَالْمَوْقُوذَةُ وَالْمُتَرَدِّيَةُ وَالنَّطِيحَةُ وَمَا أَكَلَ السَّبُعُ إِلَّا مَا ذَكَّيْتُمْ﴾

“or by a violent blow, or by a headlong fall, or by the goring of horns — and that which has been (partly) eaten by a wild animal

[1] *Al-Ma'idah* 5:3.

— unless you are able to slaughter it (before its death).^[1]

He, Most Glorified has made an exception for that which was caught while it was alive and slaughtered. Such animal may be eaten due to the effect of the slaughter on it, as opposed to that which died due to electric shock before it was slaughtered. Because an animal hit by electric shock is considered one that died from a blow, and Allah has made clear in the Verse in *Surat Al-Ma'idah* that it is forbidden, unless it was reached while it was still alive and slaughtered by *Dhabh* or *Nahr*.

Secondly: Striking an animal with an electric shock, or sending a current through it or the like is forbidden due to the torture it includes. The Prophet ﷺ prohibited hurting and torturing them, and he ordered kindness and good treatment in all circumstances, and particularly in cases of slaughter. Muslim narrated on the authority of Ibn 'Abbas, may Allah be pleased with them, that the Prophet ﷺ said:

«لَا تَتَّخِذُوا شَيْئًا فِيهِ الرُّوحُ غَرَضًا»

“Do not take any living thing as a target.”^[2]

Muslim also narrated on the authority of Jabir bin 'Abdullah, may Allah be pleased with him, that he said: “The Messenger ﷺ prohibited the killing of any creature by tethering it and then using it as a target.”

Muslim also narrated on the authority of Shaddad bin Aws, may Allah be pleased with him, from the Prophet ﷺ, who said:

«إِنَّ اللَّهَ كَتَبَ الْإِحْسَانَ عَلَى كُلِّ شَيْءٍ فَإِذَا قَتَلْتُمْ فَاحْسِنُوا الْقِتْلَةَ وَإِذَا ذَبَحْتُمْ فَأَحْسِنُوا الذَّبْحَ وَلْيُحِدَّ أَحَدُكُمْ شَفْرَتَهُ فَلْيُرِّخْ ذَبِيحَتَهُ»

“Verily Allah has enjoined Ihsan upon all things, so if you kill, then kill well and if you slaughter, then perform your slaughter well, and each of you should make his knife sharp in order to

[1] *Al-Ma'idah* 5:3.

[2] Muslim no. 1957.

soothe his sacrificial animal.”^[1]

If it is not easy to perform *Dhabh* or *Nahr* of an animal without giving it a non-lethal electric shock before the *Dhabh* or *Nahr* procedure, then it is permissible to give it an electric shock and then slaughter it while it is still alive, out to necessity.

If it is not easy to slaughter it except by something which takes its life, then its ruling is that of game which is struck by something which pierces it, such as an arrow, a bullet or the like — not by strangling, nor electric or the like.

If it is caught while alive, it may be slaughtered, but if not, then the fact that it was hit by the instrument thrown at it is considered slaughtering it. Al-Bukhari and Muslim, narrated on the authority of ‘Abdullah bin Mughaffal, may Allah be pleased with him, narrated that the Messenger of Allah ﷺ said:

«إِنَّهَا لَا تَصِيدُ صَيْدًا وَلَا تَنْكُأُ عَدُوًّا، وَلَكِنَّهَا تَكْسِرُ السِّنَّ وَتَقْتُلُ الْعَيْنَ»

“That from which the blood was let, and over which the Name of Allah was mentioned you may eat, but not (that which was slaughtered using) teeth and the nails; as for the teeth, they are bone and as for the nail, it is the knife of the Ethiopians.”^[2]

He (the narrator) said: “Camels and goats fell to our lot as spoils of war, and one of the camels became wild among the people. So a man shot an arrow at it and killed it. The Prophet ﷺ said:

«إِنَّ لَهُدَاهُ الْبَهَائِمَ أَوْ أَيْدٍ كَأَوْبِدِ الْوَحْشِ فَمَا غَلَبَكُمْ مِنْهَا فَاصْنَعُوا بِهِ هَكَذَا»

“Verily, this camel has become untamed, like wild animals, so if you find any animal becoming wild, treat it in the same manner.”^[3]

Ibn ‘Abbas, may Allah be pleased with them, said: “Any animal which you are unable (to catch and slaughter) is like game. As for the camel which falls into a well, whenever you are able to,

[1] Muslim no. 1955.

[2] Al-Bukhari no. 5479 and Muslim no. 1954.

[3] Al-Bukhari no. 2488 and Muslim no. 1968.

slaughter it.” ‘Ali, Ibn ‘Umar and ‘A’ishah held the same opinion. Al-Bukhari and Muslim narrated on the authority of ‘Adi bin Hatim, may Allah be pleased with him, that he said: “Allah’s Messenger ﷺ said:

«إِذَا أُرْسِلَتْ كَلْبُكَ فَادْكُرْ اسْمَ اللَّهِ فَإِنْ أَمْسَكَ عَلَيْكَ فَأَدْرَكْتَهُ حَيًّا فَادْبَحْهُ، وَإِنْ أَدْرَكْتَهُ قَدْ قَتَلَ وَلَمْ يَأْكُلْ مِنْهُ فَكُلْهُ، وَإِنْ وَجَدْتَ مَعَ كَلْبِكَ كَلْبًا غَيْرَهُ وَقَدْ قَتَلَ فَلَا تَأْكُلْ، فَإِنَّكَ لَا تَدْرِي أَيُّهُمَا قَتَلَهُ، وَإِنْ رَمَيْتَ سَهْمَكَ فَادْكُرْ اسْمَ اللَّهِ فَإِنْ غَابَ عَنْكَ يَوْمًا فَلَمْ تَجِدْ فِيهِ إِلَّا أَثَرَ سَهْمِكَ فَكُلْ إِنْ شِئْتَ وَإِنْ وَجَدْتَهُ غَرِيقًا فِي الْمَاءِ فَلَا تَأْكُلْ»

When you send your dog, mention the Name of Allah, Most High over it and if it catches something for you and you find it alive, slaughter it. But if you find that it has already killed it, but has not eaten from it, then eat it. And if you find another dog with your dog and it has killed it, then do not eat, because you do not know which of them killed it. And when you shoot your arrow, mention the Name of Allah, Most High over it. And if you do not find it for a day, then you find no signs on it except your arrow, eat if you wish; but if you find an animal drowned in water, do not eat it.”^[1]

Al-Bukhari narrated, on the authority of ‘Adi bin Hatim, may Allah be pleased with him, that he said: “I asked the Messenger of Allah ﷺ about game killed by *Al-Mi’radh* ^[2] and he said:

«إِذَا أَصَبْتَ بِحَدِّهِ فَكُلْ، فَإِذَا أَصَابَ بِعَرَضِهِ فَقَتَلَ فَإِنَّهُ وَقِيدٌ فَلَا تَأْكُلْ»

“If the game is killed with its sharp edge, then eat it, but if it is hit with its broad side and killed, then the game has been beaten to death, so do not eat it.”^[3]

So it is incumbent upon the concerned people in the British

^[1] Al-Bukhari no. 5484 and Muslim no. 1929.

^[2] *Al-Mi’radh*: A sharp-edged piece of wood or a piece of wood with a piece of iron on it used for hunting.

^[3] Al-Bukhari no. 5476.

Royal Society for the Prevention of Cruelty to Animals to be kind to animals, even when they slaughter them. They should be given an electric shock to the head or subjected to an electric current, for example. They should not allow anyone to do this to animals when slaughtering them by *Dhabh* or *Nahr*, unless it is not possible to slaughter the animal without striking it with something that will help control it. It is possible to slaughter it by tethering it with a rope. If it is not possible to do this, then it may be struck with something that pierces it, as this will count as slaughtering it. If it is not caught alive after being struck (by the spear, arrow etc.), according to the *Hadiths* which we have mentioned previously and according to the Words of Allah, Most High:


﴿فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ﴾

"So keep your duty to Allāh and fear Him as much as you can;"^[1]

May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

Foods Concerning Which There is Doubt and Those Which Are Forbidden


It is not Righteousness to Ask About the Origin of the Food

 I have come to know something about the piety of the Imams in the matter of food, such as Imam Ash-Shafi'i, and Imam Ahmad, who refused to take the money of his son, who worked as a judge, because he was unsure about the money which his son would receive from the government. Since I learned this, I have refused to take any food except the food which I eat in my house from my father's money or

^[1] *At-Taghabun* 64:16.

that of whose origin I am aware. This has caused me some hardships, and I get very angry with brothers who insist that I eat, even if it is only a date. Often guests come to our house and they bring some fruit or any other edibles, and I refuse to eat from them. My refusal to eat them is not due to any certainty on my part that its origin is forbidden, but simply because I do not know the ruling of the Islamic Law. Is it a part of the Islamic Law for me to ask, if I am invited to eat food, about the origin of the money with which this food was purchased? And if I travel to another city to visit a relative or a friend, should I ask him about the origin of the food I am eating with him? If a gift is one of food, should I ask about the origin of the money with which he purchased it or not?



Asking about this is not from the guidance of Muhammad bin 'Abdullah , nor is it from the guidance of his Caliphs (i.e., successors) and his noble Companions — may Allah be pleased with all of them. Because it will give rise to quarrelling, rancor and cutting of relations.

May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Basic Principle Regarding All Foods is Permissibility



Uncertainty has risen regarding some foods, such as Dutch cooking fat and other imported foods. Does this uncertainty regarding the prohibition of these foods mean that it is better for the one who is uncertain not to eat them?



The basic principle is permissibility of eating and drinking those things mentioned. Unless something which would necessitate its prohibition is confirmed. Such as the cooking fat and the like being mixed with pork fat or fat from an animal which died without being slaughtered, or from birds or grazing

animals slaughtered in a manner other than Islamic way, such as by electric shock, strangling or some other way.

And Allah is the Granter of success.

May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Ice Cream, Cheese, Toothpaste, Soap and the Like

Q Is it permissible to use perfumes and deodorants, toothpaste, ice cream, shampoo due to their containing alcohol, and soap which contains pork fat? And is *Khamr* impure like the impurity of urine? And (what about) meat, if it is adulterated with pig fat or pig blood, even if it is a very small percentage or cheese? I request that you deliver a legal verdict for me, because I am studying abroad in America and an American Muslim student has warned us about it.

A The basic principle in things is permissibility and purity, so it is not permissible for a person to rule upon something that it is forbidden and impure without lawful evidence.

So when you are sure or you feel that it is most likely that it is permissible meat and it has been adulterated with pig fat or pig blood, and likewise cheese, if it is adulterated with pig fat or pig blood, then it is not permissible for you to eat it. The Qur'ān and Sunnah and the consensus of the scholars have proven that it is forbidden to eat pork, and the scholars are in total agreement that its fat carries the same ruling as its meat.

However, if you do not know, then it is permissible for you to eat it, according to the aforementioned basic principle, which is that things are permissible and pure until evidence of prohibition is established.

Regarding perfumes and the like which have been mixed with alcohol to the extent that they cause drunkenness, the view that they are either impure or pure is dependent upon the view as to whether *Khamr* is impure or pure. The majority hold that it is impure, so based upon this, it should be avoided, if the amount of alcohol mixed with it is sufficient to cause drunkenness.

And Allah is the Granter of success.

May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Gelatin



Is gelatin forbidden?



If gelatin is prepared from something forbidden, such as the pig or some parts of it, such as its skin, its bones and the like, then it is forbidden, for Allah, Most High says:

﴿حُرِّمَتْ عَلَيْكُمْ أَلْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخَنزِيرِ﴾

“Forbidden to you (for food) are: Al-Maitah (the dead animals — cattle — beast not slaughtered), blood, the flesh of swine,^[1]

And the scholars are in agreement that pig fat is included in the prohibition. But if there is nothing in the production of the gelatin or in its substance which is from forbidden things, then there is no objection to it.

And Allah is the Granter of success.

May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

^[1] *Al-Ma'idah* 5:3.

Is Tea a Form of *Khamr*?

Q Some people say that tea is a form of *Khamr*, because it is prepared by fermenting the leaves of the green tea tree so that they become black.



There is no basis to this saying, as far as we know.

Ibn Baz

The Ruling on Drinking Beer and the Like



What is the ruling on drinking beer and other similar drinks?



If the beer is free of intoxicant, then there is no objection to it. But if it includes some substance which causes intoxication, then it is not permissible to drink it. The same with all other intoxicants, whether they be drinks or foods. It is necessary to avoid them, and it is not permissible to eat or drink any of them, according to the Words of Allah, the Almighty, the All-Powerful:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ وَالْأَزْلَامُ رِجْسٌ مِّنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ ﴿٩١﴾ إِنَّمَا يُرِيدُ الشَّيْطَانُ أَنْ يُوقَعَ بَيْنَكُمْ الْعَدَاوَةَ وَالْبَغْضَاءَ فِي الْخَمْرِ وَالْمَيْسِرِ وَيَصُدَّكُمْ عَنْ ذِكْرِ اللَّهِ وَعَنِ الصَّلَاةِ فَهَلْ أَنْتُمْ مُنْتَهُونَ ﴿٩٢﴾﴾

“O you who believe! Intoxicants (all kinds of alcoholic drinks), and gambling, and Al-Ansāb, and Al-Azlām (arrows for seeking luck or decision) are abominations of Shaitān’s (Satan’s) handiwork. So avoid (strictly all) that (abominations) in order that you may be successful. Shaitān (Satan) wants only to excite enmity and hatred between you with intoxicants (alcoholic drinks) and gambling, and hinder you from the remembrance of Allāh and from As-Salāt (the prayer). So, will you not then abstain?”^[1]

^[1] Al-Ma’idah 5:90-91.

And, according to the saying of the Prophet ﷺ:

«كُلُّ مُسْكِرٍ خَمْرٌ وَكُلُّ مُسْكِرٍ حَرَامٌ»

*“Every intoxicant is Khamr and every intoxicant is forbidden.
Narrated by Imam Muslim in his Sahih.”*^[1]

It has been confirmed from him ﷺ that he cursed *Khamr* and the one who drinks it, the one who pours it, the one who presses it, the one for whom it is pressed, the one who transports it, the one to whom it is transported, the one who sells it, the one who buys it and the one who consumes its price. And it has been confirmed from him ﷺ that he said:

«كُلُّ شَرَابٍ أَسْكَرَ فَهُوَ حَرَامٌ»

“Every drink which intoxicates is forbidden.”^[2]

It has also been confirmed from him ﷺ that he prohibited every intoxicant. So it is incumbent upon all of the Muslims to beware of all intoxicants, and to warn against them. It is also incumbent upon anyone who has indulged in such a thing to abandon it and hasten to turn in repentance to Allah, Most Glorified of that, as Allah, the Almighty, the All-Powerful says:

﴿وَتُوبُوا إِلَى اللَّهِ جَمِيعًا أَيُّهَا الْمُؤْمِنُونَ لَعَلَّكُمْ تُفْلِحُونَ﴾

“And all of you beg Allāh to forgive you all, O believers, that you may be successful.”^[3]

He, Most Glorified also says:

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا تُوبُوا إِلَى اللَّهِ تَوْبَةً نَّصُوحًا﴾

“O you who believe! Turn to Allāh with sincere repentance!”^[4]

Ibn Baz

[1] Muslim no. 2003.

[2] Al-Bukhari no. 5585 and Muslim no. 2001.

[3] *An-Nur* 24:31.

[4] *At-Tahrim* 66:8.

The Ruling on the Myrrh Which is Found in Perfume Shops

Q Is the myrrh which is found in the shops of some perfume sellers — as used for the treatment of some diseases — permissible or forbidden, bearing in mind that some people say: “The angels do not enter a house in which there is myrrh’

A The myrrh which is in the shops of some perfume sellers is permissible, because the basic principle is permissibility and we know of no evidence for its prohibition. And we know of no basis for this saying which you have related from some of the people, that the angels do not enter a house in which there is myrrh; in fact, it is false.

The Permanent Committee

The Ruling on Smoking and Trading in it

Q What is the ruling on smoking?

A Smoking is forbidden because it is evil and contains many harmful things. Allah, Most Glorified, Most High has only permitted foods and drinks which are good and pure (*At-Tayyibat*) for His creatures. He has forbidden evil and impure things (*Al-Khaba'ith*) for them. Allah, Most Glorified, Most High says:

﴿يَسْأَلُونَكَ مَاذَا أُحِلَّ لَهُمْ قُلْ أُحِلَّ لَكُمْ الْطَيِّبَاتُ﴾

“They ask you (O Muhammad ﷺ) what is lawful for them (as food). Say: “Lawful unto you are *At-Tayyibāt* [all kinds of *Halāl* (lawful-good)]^[1]

And He, Most Glorified says, in describing His Prophet,

^[1] *Al-Ma'idah* 5:4.

Muhammad ﷺ in Surat Al-A'raf:

﴿يَأْمُرُهُم بِالْعُرُوفِ وَيَنْهَاهُمْ عَنِ الْمُنْكَرِ وَيُحِلُّ لَهُمُ الطَّيِّبَاتِ وَيُحَرِّمُ عَلَيْهِمُ الْخَبَائِثَ﴾

"He commands them for Al-Ma'rūf (i.e. Islāmic Monotheism and all that Islām has ordained); and forbids them from Al-Munkar (i.e., disbelief, polytheism of all kinds, and all that Islām has forbidden); he allows them as lawful At-Tayyibāt (i.e., all good and lawful as regards things, deeds, beliefs, persons and foods), and prohibits them as unlawful Al-Khabā'ith (i.e., all evil and unlawful as regards things, deeds, beliefs, persons and foods),^[1]

Smoking of all forms is not from among the good and pure things; rather it is from the evil and impure things. Likewise, all forms of intoxicants are from among the evil and impure things. And it is not permissible to smoke cigarettes, cigars, pipes etc., nor to sell them, nor to trade in them, like alcoholic drinks. It is an obligation upon anyone who smoked them or dealt in them to hasten towards repentance to Allah, Most Glorified and to express regret for what has passed, and to make the firm intention not to return to it. Whoever sincerely repented, Allah will turn to him with forgiveness, as Allah, the Almighty, the All-Powerful says:

﴿وَتُوبُوا إِلَى اللَّهِ جَمِيعًا أَيُّهَا الْمُؤْمِنُونَ لَعَلَّكُمْ تُفْلِحُونَ﴾

"And all of you beg Allāh to forgive you all, O believers, that you may be successful."^[2]

And He, Most Glorified, Most High says:

﴿وَإِنِّي لَغَفَّارٌ لِّمَن تَابَ وَآمَنَ وَعَمِلَ صَالِحًا ثُمَّ اهْتَدَى﴾

"And verily, I am indeed forgiving to him who repents, believes (in My Oneness, and associates none in worship with Me) and does righteous good deeds, and then remains constant in doing them

[1] Al-A'raf 7:157.

[2] An-Nur 24:31.

(till his death).^[1]

And Allah is the Granter of success.

Ibn Baz

The Hookah and Smoking Cigarettes, Cigars Etc. Are Forbidden

Q What is the ruling on smoking the hookah? And is the ruling on it the same as that of smoking? And are the hookah and cigarettes, cigars etc. considered to be from among the forbidden narcotics?

A Smoking the hookah and all forms of smoking are forbidden, due to the many harmful effects. Doctors that are knowledgeable in these matters have made their many harmful effects clear, and Allah has forbidden the Muslims from using things which are harmful to them. Therefore it is incumbent upon every person who used them to stop using them and to avoid them, according to the Words of Allah, the Almighty, the All-Powerful in *Surat Al-Ma'idah*, in which He addresses His Prophet ﷺ:

﴿يَسْأَلُونَكَ مَاذَا أُحِلَّ لَهُمْ قُلْ أُحِلَّ لَكُمُ الطَّيِّبَاتُ﴾

“They ask you (O Muhammad ﷺ) what is lawful for them (as food). Say: “Lawful unto you are At-Tayyibāt [all kinds of Halāl (lawful-good)]”^[2]

And the words of Him, Most Glorified, in *Surat Al-A'raf*, in which He describes His Prophet, Muhammad ﷺ:

﴿وَيُحِلُّ لَهُمُ الطَّيِّبَاتِ وَيُحَرِّمُ عَلَيْهِمُ الْخَبَائِثَ﴾

He allows them as lawful At-Tayyibāt (i.e. all good and lawful as regards things, deeds, beliefs, persons and foods), and prohibits them as unlawful Al-Khabā'ith (i.e. all evil and unlawful as

^[1] Ta Ha 20:82.

^[2] Al-Ma'idah 5:4.

regards things, deeds, beliefs, persons and foods),^[1]

All forms of smoking and the hookah are included among these evil and impure things, and things harmful to man, so all forms of them are forbidden, according to the evidence of these two Verses and others bearing the same meaning.

We ask Allah to guide the Muslims towards that in which there is righteousness and salvation for them, and to protect them from all that is harmful to them in the life of this world and in the Hereafter, for verily, He is the Best One to ask.

Ibn Baz

The Evidences For the Prohibition of Cigarette Smoking and the Hookah

Q I request from Your Eminence an explanation of the ruling on cigarette smoking and the hookah, along with the evidences for that.

A Smoking is forbidden, as is using the hookah. The evidence for that is in the Words of Allah, Most High:

﴿وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا﴾

“O you who believe! Eat not up your property among yourselves unjustly except it be a trade amongst you, by mutual consent. And do not kill yourselves (nor kill one another). Surely, Allāh is Most Merciful to you.”^[2]

And, the Words of Him, Most High:

﴿وَلَا تُفْسِدُوا بِأَيْدِيكُمْ إِلَى الْهَلَاكِ﴾

“and do not throw yourselves into destruction (by not spending your wealth in the Cause of Allāh)”^[3]

^[1] Al-A'raf 7:157.

^[2] An-Nisa' 4:29.

^[3] Al-Baqarah 2:195.

It has also been medically proven that using these things is harmful, and if something is harmful, it is forbidden. Another evidence is the Words of Allah, Most High:

﴿وَلَا تُؤْتُوا السُّفَهَاءَ أَمْوَالَكُمُ الَّتِي جَعَلَ اللَّهُ لَكُمْ قِيَمًا﴾

"And give not unto the foolish your property which Allāh has made a means of support for you,"^[1]

So He has forbidden giving our wealth to the foolish people, because they will squander it and waste it, and there is no doubt that using money to buy cigarettes and the hookah is a waste of wealth, and so it is forbidden by the meaning of this Verse and in the Sunnah. It is reported that the Messenger of Allah ﷺ forbade wasting money, and spending money on these things is a waste of money. And the Prophet ﷺ said:

«لَا ضَرَرَ وَلَا ضِرَارَ»

"Let there be no harming of another person and no diminishing his rights."^[2]

Using these things causes harm; and because these things cause a person to become dependent on them, and if he does not find them, he becomes angry and at a loss, and creates problems for himself of which he is not in need.

Ibn 'Uthaimin

The Ruling on Qat and Cigarette Smoking, and Keeping Company With Those Who Use Them

Q What is the ruling on qat ^[3] and cigarettes, the use of which has become widespread among some Muslims? And what is the ruling on keeping company with those who use one or both of them? And what is incumbent upon the

^[1] *An-Nisa'* 4:5.

^[2] Ibn Majah no. 2340, Al-Baihaqi 6/69 and Ahmad 1/313.

^[3] *Qat*: A plant whose leaves are chewed and act as a stimulant.

head of the family regarding his son who uses either of these two things?



There is no doubt regarding the forbiddance of qat and cigarettes due their many harmful effects, the narcotic effect of them at times, and the intoxicating effect of them at times, as explained by the reliable people who know about them (i.e., doctors, medical researchers etc.). And the scholars have written many works regarding their prohibition, including our most learned Shaikh, Muhammad bin Ibrahim Al Ash-Shaikh, the former Mufti of these Saudi lands — may Allah have mercy on him.

Therefore, it is incumbent upon a Muslim to abandon them, and to stay away from them, and it is not permissible to sell them, nor buy them, nor trade in them, and their price is forbidden and (is considered) ill-gotten wealth. We ask Allah to protect the Muslims from them.

It is also not allowed to keep company with those who use them or other kinds of intoxicants. This is because that is a cause of one falling into using them, and it is incumbent upon the Muslim wherever he may be to keep company with good people and to avoid the company of evil people. The Prophet ﷺ compared a righteous companion to one carries musk, saying:

«إِمَّا أَنْ يُحْذِيكَ وَإِمَّا أَنْ تَبْتَاعَ مِنْهُ، وَإِمَّا أَنْ تَجِدَ مِنْهُ رِيحًا طَيِّبَةً، وَنَافِخُ الْكَبِيرِ إِمَّا أَنْ يُحْرِقَ ثِيَابَكَ وَإِمَّا أَنْ تَجِدَ رِيحًا خَبِيثَةً»

“Either he would give you some, or you would buy it from him, or you would smell its pleasant odor, and as for the blacksmith, he would either burn your clothes or you would get some of its smell.”^[1]

And he ﷺ said:

«الرَّجُلُ عَلَى دِينِ خَلِيلِهِ فَلْيَنْظُرْ أَحَدُكُمْ مَنْ يُخَالِلُ»

^[1] Al-Bukhari no. 5534 and Muslim no. 2628.

"A person is upon the religion of his companion, so each of you should look at those with whom he keeps company."^[1]

The head of the household is required to forbid those who use these things, even if it is necessary to beat him and discipline him, or expel him from the house until he repents. And Allah, Most Glorified has said:

﴿فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ﴾

"So keep your duty to Allāh and fear Him as much as you can;"^[2]

And He, the Almighty, the All-Powerful said:

﴿وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مِنْ أَمْرِهِ يُسْرًا﴾

"and whosoever fears Allāh and keeps his duty to Him, He will make his matter easy for him."^[3]

May Allah improve the situation of the Muslims and grant them success in achieving that which improves them and improves their families, verily, He is the Best One to ask.

Ibn Baz

Qat is Forbidden and Not Impure

Q Many of those addicted to using qat remove it from their mouths and put it in a plastic bag, then pray and after the prayer, they put it in their mouths again; is qat impure? And what is the ruling on those who pray with it in their mouths? And is it permissible for one who has qat in his mouth to delay the prayer until he has finished and then combine what he has missed of the prayer (with the next prayer)?

[1] Abu Dawud no. 4833 and At-Tirmithi no. 2378.

[2] At-Taghabun 64:16.

[3] At-Talaq 65:4.



I do not know of any evidence that it is impure, because it is a well known tree and the basic principle regarding trees and all kinds of plants is that they are pure. But using it is forbidden, according to the more correct of two opinions held by the scholars, due to the many harmful things in it. It is incumbent upon the one who uses it not to do so at the time of prayer, nor is it permissible to delay the prayer from its stated time; indeed, it is incumbent upon the Muslim to perform prayer at its stated time in congregation, in the mosque, with his Muslim brothers, in accordance with the words of the Prophet ﷺ:

«مَنْ سَمِعَ النَّدَاءَ فَلَمْ يَأْتِهِ فَلَا صَلَاةَ لَهُ إِلَّا مِنْ عُذْرٍ»

"Whoever heard the call to prayer and did not answer it, there is no prayer for him, except for the one who is excused."^[1]

Narrated by Ibn Majah, Ad-Daraqutni and Al-Hakim, with an authentic chain of narrators.

Ibn 'Abbas, may Allah be pleased with them, was asked about the excuse and he said: "Fear or illness."

So using qat is not a legal excuse; indeed it is detestable. If one who uses it delays the prayer from its time, or misses the congregation in the mosque, that is a greater sin. It is also not allowed for one who uses it to combine two prayers, because using it is not one of the legal excuses which permit joining prayers.

It has been confirmed from the Prophet ﷺ that when he taught the Companions the prayer times and made the beginning and the end of them clear to them, he said:

«الصَّلَاةُ بَيْنَ هَذَيْنِ الْوَقْتَيْنِ»

"The prayer is between these two times."

It was confirmed in *Sahih Muslim* that a blind man said: "O Messenger of Allah! I have no one to lead me to the mosque, so

^[1] Ibn Majah no. 793 and Abu Dawud no. 551.

is there any license for me to pray in my house?" He ﷺ said:

«هَلْ تَسْمَعُ النِّدَاءَ بِالصَّلَاةِ؟»

"Do you hear the call to prayer?"^[1]

He answered: "Yes." He ﷺ said:

«فَأَجِبْ»

"Then answer it."

And in a narration reported by other than Muslim with an authentic chain of narrators, he ﷺ said:

«لَا أَجِدُ لَكَ رُخْصَةً»

"I see no license for you."^[2]

These authentic *Hadiths*, and others bearing the same meaning, all prove the obligation to perform the prayer in congregation at its stated times in the Houses of Allah, the Almighty, the All-Powerful. They also prove that it is prohibited to delay them or combining them without a lawful excuse.

My advice to those who use qat, cigarettes and all other intoxicants and narcotics is to avoid them completely and to fear Allah in this, because using it is an act of disobedience to Allah, Most Glorified and to His Messenger ﷺ and because of the extremely harmful effects and evil consequences associated with them, and because they also lead to turning away from remembrance of Allah and from prayer.

We ask Allah to guide the Muslims to all that pleases Him, and to amend their hearts and their deeds and protect them from keeping evil company, those who prevent them from good, for verily, He is Most Generous, Most Kind. And Allah is the Granter of success.

Ibn Baz

[1] Muslim no. 653.

[2] Abu Dawud no. 552.

The Ruling on Snuff

Q What is the ruling of the Islamic Law on cigarettes and the hookah? And what is the ruling on using them? And what should one do if his close relative is affected by them?

A There is no doubt that cigarette smoking, the *Narjilah*,^[1] snuff and the like are forbidden, because they are all noxious and Allah, Most High has said:

﴿وَيُحِلُّ لَهُمُ الطَّيِّبَاتِ وَيُحَرِّمُ عَلَيْهِمُ الْخَبِيثَ﴾

He allows them as lawful At-Tayyibāt (i.e. all good and lawful as regards things, deeds, beliefs, persons and foods), and prohibits them as unlawful Al-Khabā'ith (i.e. all evil and unlawful as regards things, deeds, beliefs, persons and foods),^[2]

And because they are harmful to one's health and lead to terminal diseases or illnesses which lead to that. And, Allah, Most High has said:

﴿وَلَا تَقْتُلُوا أَنْفُسَكُمْ﴾

"And do not kill yourselves (nor kill one another)"^[3]

He also said:

﴿وَلَا تُلْقُوا بِأَيْدِيكُمْ إِلَى التَّهْلُكَةِ﴾

"and do not throw yourselves into destruction (by not spending your wealth in the Cause of Allāh),"^[4]

And because it is a waste and abuse of money without benefit, and the spendthrifts are brothers of the devils.

We advise anyone who is put to trial by any of them to repent and to abandon them immediately, and make a firm intention

[1] *Narjilah*: Persian water pipe or narghile.

[2] *Al-A'raf* 7:157.

[3] *An-Nisa'* 4:29.

[4] *Al-Baqarah* 2:195.

not to return to them, and to seek help from Allah in giving them up, and in being patient for a few days, until he is able to abandon them and be cured from the pains of withdrawal from them. And it is Allah Who cures.

Ibn Jibreen

Alcohol is Forbidden, and One Who Drinks it is a Sinner

Q What is the ruling on a Muslim who drinks alcohol and does not accept advice. He rather excuses himself by saying: "Verily, Allah is the only One Who will call me to account." And he does not allow anyone to interfere in his affairs. Is it permissible for the Muslims to have dealings with him or not?

A It is incumbent upon anyone among the Muslims who knows the truth to communicate it as much as he is able and to order the good and prohibit the evil as much as he is able.

If his advice is accepted, then all praise and thanks be to Allah. And if not, the case of one who commits a sin, or renounces one of his legal obligations, must be submitted to the person in authority, in order to take the sinner in hand to prevent him from sinning.

The claim of one who drinks alcohol, and is insistent upon it, that no one may hold him accountable for his drinking, and not allowing anyone to interfere in his affairs is incorrect, if he drinks it openly. This is because it is a duty upon anyone who sees him drinking to rebuke him, according to his ability.

If he does not undertake what is incumbent upon him regarding the rebuking of the sinner, he will be punished for neglecting the obligation to communicate (the Message) and rebuke him. And the sin of one who openly drinks alcohol is not confined to the drinker alone; rather, the harm of it affects the whole community in this world and on the Day of Resurrection. Its

consequences will be felt by the drinker and the one who failed to rebuke him and to take him in hand.

It is incumbent upon any Muslim who knows the situation of a sinner to abandon dealings with him, and not to keep company with him, except as much as is necessary in order to advise him and what he is forced to do. He must strive as much as he is able to inform the authorities, in order that they may inflict the legal punishment upon him as a deterrent for him and others, and to root out evil and corruption, and to cleanse the society of this disease.

May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Sitting at Drinking Tables

Q I study at one of Japan's universities and a number of societies and clubs meet and parties are held where alcohol is served. Am I guilty of sin by being present in a place in which wine is served, bearing in mind that I am careful not to sit next to it and I do not drink it, all praise and thanks be to Allah?

A It is not permissible to sit with people who drink alcohol, except to rebuke them. If they accept (all well and good), but if not, you must part from them, according to the words of the Prophet ﷺ:

«مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ فَلَا يَجْلِسُ عَلَى مَائِدَةٍ يُدَارُ عَلَيْهَا الْخَمْرُ»

"Whoever believes in Allah and the Last Day should not sit at tables where alcohol is circulated."^[1]

^[1] At-Tirmithi no. 2801 and Ahmad 3/339.

Narrated by Imam Ahmad and At-Tirmithi with a *Hasan* chain of narrators.

Sitting with them may lead to joining them in this evil deed or accepting it. And Allah, the Almighty, the All-Powerful has said, in *Surat Al-An'am*:

﴿وَإِذَا رَأَيْتَ الَّذِينَ يَخُوضُونَ فِي آيَاتِنَا فَأَعْرِضْ عَنْهُمْ حَتَّى يَخُوضُوا فِي حَدِيثٍ غَيْرِهِ وَإِمَّا يُنسِيَنَّكَ الشَّيْطَانُ فَلَا تَقْعُدْ بَعْدَ الذِّكْرِىٰ مَعَ الْقَوْمِ الظَّالِمِينَ﴾

“And when you (Muhammad ﷺ) see those who engage in a false conversation about Our Verses (of the Qur’ān) by mocking at them, stay away from them till they turn to another topic. And if Shaitān (Satan) causes you to forget, then after the remembrance sit not you in the company of those people who are the Zālimūn (polytheists and wrongdoers).^[1]

And He said:

﴿وَقَدْ نَزَّلَ عَلَيْكُمْ فِي الْكِتَابِ أَنْ إِذَا سَمِعْتُمْ آيَاتَ اللَّهِ يُكْفَرُ بِهَا وَيُسْتَهْزَأُ بِهَا فَلَا تَقْعُدُوا مَعَهُمْ حَتَّى يَخُوضُوا فِي حَدِيثٍ غَيْرِهِ إِنَّكُمْ إِذَا مِثْلَهُمْ﴾

“And it has already been revealed to you in the Book (this Qur’ān) that when you hear the Verses of Allāh being denied and mocked at, then sit not with them, until they engage in a talk other than that; (but if you stayed with them) certainly in that case you would be like them.^[2]

And Allah is the Granter of success.

Ibn Baz

The Ruling on Treating Oneself by Drinking Alcohol



What is the ruling on drinking alcohol out of necessity, due to the doctor ordering it to be drunk?

^[1] *Al-An'am* 6:68.

^[2] *An-Nisa'* 4:140.



It is forbidden to treat oneself by drinking alcohol or any of the *Khaba'ith* which Allah has prohibited. This is the view of the majority of the scholars. Wa'il bin Hajr narrated that Tariq bin Suwaid Al-Ja'fi, may Allah be pleased with him, asked the Prophet ﷺ about alcohol. He forbade him from (using) it. He said: "I make it for medicine." He ﷺ said:

«إِنَّهُ لَيْسَ بِدَوَاءٍ وَلَكِنَّهُ دَاءٌ»

"It is not a medicine, it is only a disease."^[1]

It is reported on the authority of Abu Ad-Darda', may Allah be pleased with him, that he said: "Allah's Messenger ﷺ said:

«إِنَّ اللَّهَ أَنْزَلَ الدَّاءَ وَالِدَوَاءَ وَجَعَلَ لِكُلِّ دَاءٍ دَوَاءً فَتَدَاوُوا وَلَا تَتَدَاوُوا بِحَرَامٍ»

"Verily, Allah, Most High has sent down the disease and the cure, and He has made a cure for every disease. So use the cure, and do not treat yourselves with that which is forbidden."^[2]

It is reported that Abu Hurairah, may Allah be pleased with him, said: "Allah's Messenger ﷺ forbade treatment with *Al-Khabith*." In another version: "...it (i.e. *Al-Khabith*) means poison." Narrated by Ahmad, At-Tirmithi and Ibn Majah. In his *Sahih*, Al-Bukhari mentioned that Ibn Mas'ud, may Allah be pleased with him, said: "Verily, Allah has not placed your cure in those things which He has forbidden to you." And Abu Hatim Ibn Hibban narrated it in his *Sahih*, in a *Marfu'* form reaching to the Prophet ﷺ.

These evidences, and others like them, clearly show the prohibition of using *Al-Khamr* as medicine, since it is the source of *Al-Khaba'ith* and the total sum of all sins.

Those who permitted using alcohol as a medicine among the scholars of Al-Kufah compared it to the permission granted to

[1] Muslim no. 1984 and Ahmad 4/311.


[2] Abu Dawud no. 3874 and Al-Baihaqi no. 10/5.


the one who is compelled by necessity to eat dead meat and blood. But this view, in addition to being contrary to the evidences, is weak, because it is an analogy of two things that are not similar. Because by eating dead meat and blood the necessity disappears, and life is preserved, and it is the only way to achieve that. But as for drinking alcohol as a medicine, it does not bring about the removal of the illness; rather, the Prophet ﷺ has informed us that it is a disease and not a medicine, and it has not been specified as a method for achieving a cure. And Allah is Merciful to a Muslim who restricts himself to *At-Tayyibat* which Allah has permitted in treating his illness and contents himself with it, without resorting to *Al-Khaba'ith* and the unlawful which He, Most Glorified has forbidden.

May peace and blessings be upon our Prophet, Muhammad and upon his family and his Companions.

The Permanent Committee

The Ruling on Treating Oneself With the Unlawful

 I am a doctor and my job requires me to treat people sometimes with narcotics, such as morphine, cocaine and Valium; what is the Islamic ruling on this?

 It is not permissible to treat illness with the unlawful, due to the confirmation of the legal evidences which prove that they are forbidden, such as the *Hadith* narrated by Abu Dawud in his *Sunan*, on the authority of Abu Al-Ward, may Allah be pleased with him, who said: "The Messenger of Allah ﷺ said:

«إِنَّ اللَّهَ أَنْزَلَ الدَّاءَ وَالِدَّوَاءَ وَجَعَلَ لِكُلِّ دَاءٍ دَوَاءً فَتَدَاوُوا وَلَا تَتَدَاوُوا بِحَرَامٍ»

"Verily, Allah, Most High has sent down the disease and the cure. And He has made a cure for every disease. So use the cure and do not treat yourselves with that which is forbidden."^[1]

^[1] Abu Dawud no. 3874 and Al-Baihaqi no. 10/5.

In his *Sahih*, Al-Bukhari mentioned that Ibn Mas‘ud, may Allah be pleased with him, said: “Allah has not made your cure in that which He has forbidden to you.”

In *Al-Musnad*, it is reported on the authority of Abu Hurairah, may Allah be pleased with him: “The Messenger of Allah ﷺ forbade treating oneself with *Al-Khabith*.” In *Sahih Muslim*, it is reported on the authority of Tariq bin Suwaid Al-Hadhrami — or Suwaid bin Tariq — that he asked the Prophet ﷺ about *Khamr* used as a medicine and he ﷺ said:

«إِنَّهَا دَاءٌ وَلَيْسَتْ بِدَوَاءٍ»

“It is a disease and not a medicine.”^[1]

In *Sahih Muslim*, it is reported that Tariq bin Suwaid Al-Hadhrami, may Allah be pleased with him, said: “I said: “O Messenger of Allah! In our land there are herbs which we ferment and then drink.” He ﷺ said: “No.” Then I went back to him saying: “We treat the sick with it.” He ﷺ said:

«إِنَّ ذَلِكَ لَيْسَ بِشِفَاءٍ وَلَكِنَّهُ دَاءٌ»

“It is not a cure, it is only a disease.”^[2]

The Permanent Committee


The Ruling on Working in Establishments that Serve Alcoholic Drinks and Swine Flesh

Q We here in Holland are young Muslim men who are observant — all praise and thanks be to Allah — to His religion. But the jobs available here are all in alcohol and restaurants which serve swine flesh along with other meats. Is it permissible to work washing dishes on which pork has been served as a job in order to earn one’s living? Benefit us (with advice) and may Allah benefit you and may He grant success

[1] Abu Dawud no. 3873 and At-Tirmithi no. 2046.

[2] Ibn Majah no. 3500 and Ahmad 4/311.

to us and to you and may He reward you with goodness.

 It is not permissible for you to work in establishments which sell alcoholic drinks or serve it to those who drink it. Nor is it permissible for you to work in restaurants which serve pork to those who eat it or sell it to those who buy it, even if they sell other meats or foods as well. It does not matter whether your work there is selling it or serving it, or washing the dishes in it, because of the cooperation in sin and transgression it includes. Allah has forbidden that in His Words:

﴿وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ﴾

"but do not help one another in sin and transgression."^[1]

And there is no necessity that would compel you to do this. For Allah's earth is vast and spacious and the lands of the Muslims are many. So be with the community of Muslims in a country where it is easy to find permissible work; Allah, Most High says:

﴿وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مَخْرَجًا ۖ وَيَرْزُقْهُ مِنْ حَيْثُ لَا يَحْتَسِبُ ۚ وَمَنْ يَتَوَكَّلْ عَلَى اللَّهِ فَهُوَ حَسْبُهُ ۚ إِنَّ اللَّهَ بَلِغٌ أَمْرِهِ ۚ قَدْ جَعَلَ اللَّهُ لِكُلِّ شَيْءٍ قَدْرًا ۝﴾

"And whosoever fears Allāh and keeps his duty to Him, He will make a way for him to get out (from every difficulty). And He will provide him from (sources) he never could imagine. And whosoever puts his trust in Allāh, then He will suffice him. Verily, Allāh will accomplish his purpose. Indeed Allāh has set a measure for all things."^[2]

And He, Most Glorified says:

﴿وَمَنْ يَتَّقِ اللَّهَ يَجْعَلْ لَهُ مِنْ أَمْرِهِ يُسْرًا ۝﴾

"and whosoever fears Allāh and keeps his duty to Him, He will make his matter easy for him."^[3]

[1] Al-Ma'idah 5:2.

[2] At-Talaq 65:2-3.

[3] At-Talaq 65:4.

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Meat of Animals Which Were Not Slaughtered

Q Is it permissible for the Muslim to eat the meat sold by the Europeans, which was not slaughtered, and is dead meat, when we are able to purchase chickens, rabbits and sheep and we have the ability to slaughter them?

A If the situation is as you have stated — that the meats of the chickens, rabbits, sheep and the like which are available to you are the meats of animals which were not slaughtered, and that they are dead meat, then it is not permissible to you, the community of Muslims, to eat them, except in cases of necessity in which it is permissible to eat the meat of dead animals. You have mentioned in your question that you are able to slaughter what you need, in accordance with Islamic rites. So slaughter for yourselves in an Islamic manner and abstain from those meats which were slaughtered in the manner described in the question, because they are unclean.

The Permanent Committee

Eating From Unlawful Income

Eating From Unlawful Income

Q I am a young Muslim man without work and my family provides me with food and drink from prohibited sources. Is my prayer acceptable?

A It is not permissible for you to eat, dress or spend from what is given to you from forbidden sources. Whoever fears Allah, He will make a way out for him (from his difficulties) and provide for him from (sources) where he never imagined. However, there is not effect from this on your prayer,


in fact, it is valid.


And Allah is the Granter of success.

May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Eating Stolen Food

 My father works in a restaurant and the owner of this restaurant is stingy. My father, in collusion with (other) workers in the restaurant, takes some food without the knowledge of the owner of the establishment. My father brings home about three kilograms of meat every week, without the owner of the establishment's knowledge. I asked him: "Why do you do this, father?" And he said to me: "Because the owner of the establishment is a miser and he does not favor us with anything." And I am a student, still studying. May I eat from this food, or is it forbidden, bearing in mind that this food remains in the house for about four days and we do not eat anything else?

 It is not permissible for you to eat from food that your father secretly takes from the restaurant without the knowledge of the restaurant's owner. It does not matter that the owner of the restaurant is stingy. A worker has no right except to take the payment that is lawfully his, according to the saying of the Prophet ﷺ:

«كُلُّ الْمُسْلِمِ عَلَى الْمُسْلِمِ حَرَامٌ دَمُهُ وَمَالُهُ وَعَرْضُهُ»

"All of the Muslim is forbidden to the Muslim; his property, his blood and his honor."^[1]

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

^[1] Muslim no. 2564.

Avoid This Income

Q If my father's income is (from) prohibited (sources), is it permissible for us to eat the food that he brings for us? And if it is not permissible, what should we do?

A If the father's income is (from) prohibited (sources), then it is an obligation to advise him; either you, yourselves, must advise him, if you are able to do so, or seek help from one of the scholars, who is able to convince him. Or seek help from his companions, who might hopefully convince him to avoid this prohibited income. If this is not easy for you, you may eat of it as much as is necessary, and there will be no sin upon you in this case. However, it is not fitting that you should take more than you need, due to the doubt surrounding the permissibility of eating from one whose income is forbidden.

Ibn 'Uthaimin

The Ruling on Mixing Forbidden Food With His Food

Q Some Muslims with us in Britain obtained their money from permissible sources and forbidden sources — and this is because they are businessmen. Among the things in which they trade are alcohol and swine flesh; and they are on different levels in this regard: Some of them gain most of their wealth through what is unlawful, while others gain a small portion of their wealth from what is unlawful. Is it permissible for us, the Muslims, to mix with them and eat their food if they invite us? And is it permissible for us to accept the charity they give from this money for the maintenance of mosques?

A **Firstly:** you must advise them and warn them of the evil outcome of trading in forbidden goods and obtaining money from forbidden sources. You must cooperate with your

brothers among the righteous folk in reminding them and warning them of Allah's Punishment and His severe Chastisement upon those who disobey Him, those who declare war against Him by committing sins. You must (cooperate) in reminding them of the fact that the enjoyment of the life of this world is but little, and that the life of the Hereafter is better and more lasting.

If they respond positively, then all praise and thanks be to Allah, and they are thereby your brothers in Allah's religion. Then advise them to return the rights which they unjustly took to their owners, if they know them, and to follow up evil deeds with good deeds, so that perhaps, Allah will turn to them with Forgiveness and replace their evil deeds with good deeds.

In that case, it would be permissible for you to mix with them as you would mix with your brothers, and eat from their food, and accept their charities given for righteous works, such as building and furnishing mosques and such like. By their repentance and returning rights to their owners as much as is possible, their previous sins are forgiven, according to the Words of Allah, the Almighty, the All-Powerful regarding those who deal in usury:

﴿فَمَنْ جَاءَهُ مَوْعِظَةٌ مِنْ رَبِّهِ فَانْتَهَى فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ﴾

"So whosoever receives an admonition from his Lord and stops eating Ribā, shall not be punished for the past; his case is for Allāh (to judge);"^[1]

Secondly: If they refuse after being advised and being reminded, only to continue doing the forbidden things they are doing, then they must be avoided for Allah's sake. Then do not respond to their invitations, nor accept their charity, in order to reprimand them and rebuke their vain deeds, hoping that they will refrain from that and cease the evil they are involved in.

May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

^[1] Al-Baqarah 2:275.

The Sin is Upon the Earner, Not Upon the One Who Eats it

Q I am an assistant in a store and our neighbor sends food for us, but it is well known that he works in a place where bribery is common; is this food permissible for us, or forbidden?

A It is prescribed (for us) to be cautious about eating something that is forbidden, when it is earned by someone in an impermissible way, or from a source about which there is doubt. Although, the sin is upon the one who earned it, not on the one who eats it. It might be permissible for you to eat from the food of this neighbor who takes bribes, and it is Allah Who will call him to account and recompense him for his deeds.

As for the one who eats it, he has not committed any sin. The Prophet ﷺ ate from the food of the Jew and he accepted the sheep which was given to him at Khaibar by the Jewess, although the Jews consume usury and utilize bribery. In spite of this, it is better to leave it and distance oneself from collaboration with the sinners, or expressing approval of what they do.

And Allah knows best.

Ibn Jibreen

Hunting

Mentioning Allah's Name When Shooting

Q Is it sufficient to say: *Bismillahi Wallahu Akbar* (in the Name of Allah and Allah is Most Great) when I place the bullet in the gun when hunting, or must I mention Allah when firing the gun? Advise us, and may Allah reward you with goodness.

A It is an obligation to mention Allah's Name when shooting, and it is not sufficient to mention it when placing the bullet in the gun. This is according to the saying of the Prophet ﷺ:

«إِذَا رَمَيْتَ بِسَهْمِكَ فَأَذْكُرْ اسْمَ اللَّهِ»

"If you shoot your bow, mention Allah's Name."^[1]

(Agreed upon from the *Hadith* of 'Adi bin Hatim — may Allah be pleased with him.)

Ibn Baz

The Ruling on Keeping Dogs For Other Than Hunting, and the Ruling on Their Prey When They Hunt

Q I have dogs that I breed, and they are not of the well known types of hunting dogs. Is their prey (when they hunt) permissible or forbidden? And what is the ruling on breeding such animals as these?

A It is not permissible for a person to keep a dog unless it is a hunting dog, a farming dog, or a sheepdog, as confirmed by the narration from the Prophet ﷺ. As for these dogs indicated by the questioner, if he keeps them to train them for hunting, so that they are able to catch animals, then there is no sin in this, according to the Words of Allah, Most High:

﴿وَمَا عَلَّمْتُمْ مِّنَ الْجَوَارِحِ مُكَلِّبِينَ تُعَلِّمُونَهُنَّ مِمَّا عَلَّمَكُمُ اللَّهُ فَكُلُوا مِمَّا أَسْكَنَ عَلَيْكُمْ

وَأَذْكُرُوا اسْمَ اللَّهِ عَلَيْهِ وَاقْتُلُوا اللَّهَ إِنَّ اللَّهَ سَرِيعُ الْحِسَابِ ﴿٥٤﴾

"And those beasts and birds of prey which you have trained as hounds, training and teaching them (to catch) in the manner as directed to you by Allāh; so eat of what they catch for you, but pronounce the Name of Allāh over it, and fear Allāh. Verily, Allāh is Swift in reckoning."^[2]

[1] Al-Bukhari no. 5484 and Muslim no. 1929 and At-Tirmithi no. 1469.

[2] Al-Ma'idah 5:4.

However if he keeps them just for a hobby or pastime, then this is forbidden for him, and it is not allowed. Every day that he possesses them he loses a *Qirat* of his reward.

I would like to take this opportunity to draw your attention to what many of the luxuriously wealthy do. They keep dogs in their houses; indeed, they might even purchase them for high prices, in spite of the fact that the Prophet ﷺ said:

«مَنْ تَشَبَّهَ بِقَوْمٍ فَهُوَ مِنْهُمْ»

“Whoever imitates a people, he is one of them.”^[1]

My advice to these brothers is to fear Allah, the Almighty, the All-Powerful and to preserve their money and their reward and their recompense from loss, and to abandon these dogs and repent to Allah, Most Glorified, Most High. And whoever repents, Allah turns to him with Forgiveness.

Ibn ‘Uthaimin

Hunting is Permissible For One Who is not in the State of *Ihram*

Q Previously, I bought a baby deer from the province of Jizan and brought it to Makkah to the place where I live. Now it has grown and we have suffered problems due to it. Is it permissible for me to transfer it from Makkah to At-Ta’if or Jeddah and sell it or take it out of the forbidden area and slaughter it and benefit from its meat?



If the situation is as you have described it, then you may slaughter the deer in Makkah or sell it there. Or, you may go out with it to At-Ta’if or Jeddah or any other place outside the forbidden area, according to the correct saying from among the sayings of the scholars on the subject.

Evidence has only been reported regarding the prohibition of

^[1] Abu Dawud no. 4031.

hunting for the one who is in a state of *Ihram* — even if he is outside the Sacred Precincts (of Makkah) — and the prohibition of hunting for the one who is in the Sacred Precincts — even if he is not in a state of *Ihram*.

What you have asked about does not fall into these two categories, nor is it included in their meaning. So what you have mentioned remains under the basic principle, which is the permissibility of keeping and slaughtering, because you became its owner outside the Sacred Precincts while you were not in a state of *Ihram*. Allah, Most High says:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَبِئْسَ لَكُمْ اللَّهُ بِشَىءٍ مِنَ الصَّيْدِ تَنَالُهُ أَيْدِيكُمْ وَرِمَاحُكُمْ لَعَلَّكُمْ تَعْلَمُونَ
 مَن يَخَافُ بِالْعَلَبِ فَمَنِ اعْتَدَىٰ بَعْدَ ذَلِكَ فَلَهُ عَذَابٌ أَلِيمٌ ﴿٩٤﴾
 يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَقْتُلُوا الصَّيْدَ وَأَنْتُمْ حُرْمٌ وَمَن قَتَلَ مِنكُمْ مُّتَعَمِّدًا فَجَزَاءٌ مِّثْلُ مَا قَتَلَ مِنَ النَّعَمِ يَحْكُمُ بِهِ
 ذَوَا عَدْلٍ مِّنكُمْ هَدْيًا بَلِغَ الْكَعْبَةِ أَوْ كَفَرَةٌ طَعَامُ مَسْكِينٍ أَوْ عَدْلٌ ذَلِكِ صِيَامًا
 لَّيَذُوقَ وَبَالَ أَمْرِهِ عَفَا اللَّهُ عَمَّا سَلَفَ وَمَنْ عَادَ فَيَنْقُصْهُ اللَّهُ مِنْهُ وَاللَّهُ عَزِيزٌ ذُو
 انْتِقَامٍ ﴿٩٥﴾ أَحِلَّ لَكُمْ صَيْدُ الْبَحْرِ وَطَعَامُهُ مَتَاعًا لَّكُمْ وَلِلسَّيَّارَةِ وَحُرِّمَ عَلَيْكُمْ
 صَيْدُ الْبَرِّ مَا دُمْتُ حُرْمًا وَاتَّقُوا اللَّهَ الَّذِي إِلَيْهِ تُحْشَرُونَ ﴿٩٦﴾

“O you who believe! Allāh will certainly make a trial of you with something in (the matter of) the game that is well within the reach of your hands and your lances, that Allāh may test who fears Him unseen. Then whoever transgresses thereafter, for him there is a painful torment. O you who believe! Kill not the game while you are in a state of Ihrām [for Hajj or ‘Umrah (pilgrimage)], and whosoever of you kills it intentionally, the penalty is an offering, brought to the Ka‘bah, of an eatable animal (i.e. sheep, goat, cow) equivalent to the one he killed, as adjudged by two just men among you; or, for expiation, he should feed Masākīn (poor persons), or its equivalent in Saum (fasting), that he may taste the heaviness (punishment) of his deed. Allāh has forgiven what is past, but whosoever commits it again, Allāh will take retribution from him. And Allāh is All-Mighty, All-Able of Retribution. Lawful to you is (the pursuit of) water game and its use for food — for the benefit

of yourselves and those who travel, but forbidden is (the pursuit of) land game as long as you are in a state of Ihram (for Hajj or 'Umrah). And fear Allāh to Whom you shall be gathered back."^[1]

It has been confirmed from the Prophet ﷺ that he said:

«إِنَّ اللَّهَ حَرَّمَ مَكَّةَ وَلَمْ يَحِلَّ لِأَحَدٍ قَبْلِي وَلَا لِأَحَدٍ بَعْدِي وَإِنَّمَا أُحِلَّتْ لِي سَاعَةٌ مِنْ نَهَارٍ لَا يُخْتَلَى خَلَاهَا وَلَا يُعْضَدُ شَجَرُهَا وَلَا يُنْقَرُ صَيْدُهَا»

"Verily, Allah has declared Makkah sacred, and it was not made permissible for anyone before me, nor will it be made permissible for anyone after me. It was only made permissible for me for one hour of the day; its plants are not to be cut, nor are its trees to be chopped down, nor its game to be hunted."^[2]

It was also confirmed from the Prophet ﷺ that he said:

«إِنَّ إِبْرَاهِيمَ حَرَّمَ مَكَّةَ وَإِنِّي حَرَّمْتُ الْمَدِينَةَ مَا بَيْنَ لَابَتَيْهَا لَا يُقْطَعُ عِصَاهُهَا وَلَا يُصَادُ صَيْدُهَا»

"Verily, Ibrahim declared Makkah sacred and I declared Al-Madinah sacred, that which lies between its two lava plains; its plants should not be cut, nor should its game be hunted."^[3]

Based upon this, all that the one who is not in a state of *Ihram* hunts outside the Sacred Precincts, and which he brings into the Sacred Precincts, or, the one in a state of *Ihram* takes from there by purchasing, or as a gift, or an inheritance, is permissible for the one who is in a state of *Ihram* as well as the one who is within the Sacred Precincts — to take possession of it, to slaughter it and to eat it — outside the Sacred Precincts or within them.

If one was in a state of *Ihram* and had game in his hands, or in his house, or in a cage in his possession and he had owned it before that, then it is permissible for him, as it was before. He

[1] *Al-Ma'idah* 5:94-96.

[2] *Al-Bukhari* no. 2090 and *Muslim* no. 1353.

[3] *Muslim* no. 1362.

may slaughter it, or eat it, or sell it. It is only forbidden for the one who is in a state of *Ihram* and one who is in the Sacred Precincts, to begin hunting it and to take what was caught for him (by someone else at his request). If he does so, he does not own it, and if he slaughters it, it is dead meat, according to what has been confirmed in the authentic *Hadith* in which it is stated that the Prophet ﷺ saw a bird known as *An-Nughair* in the hand of Abu 'Umair Al-Ansari, may Allah be pleased with him, and he said:

«يَا أَبَا عُمَيْرٍ مَا فَعَلَ النُّغَيْرُ»

“O Abu 'Umair! What has *An-Nughair* done?”^[1]

He did not order him to free it, and that was in the Sacred Precincts of Al-Madinah.

Hisham bin 'Urwah said: “And the Commander of the Faithful, 'Abdullah bin Az-Zubair was in Makkah for nine years and he saw them in their cages and the Companions of the Messenger of Allah ﷺ used to come with them, *Al-Qimari* and *Al-Ya'aqib*.^[2]”

They did not forbid that. And Ibn Hazm reported on the authority of Mujahid that there is no objection to bringing live game to the Sacred Precincts and then slaughtering it. And he narrated also that Salih bin Kaysan said: “I saw game being sold alive in Makkah during the Governorship of Ibn Az-Zubair.”

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

[1] Al-Bukhari no. 6129 and Muslim no. 2150.

[2] *Al-Qimari* and *Al-Ya'aqib*: Two types of bird.

Various Rulings

The Ruling on Fat Which is on the Hands and on the Dishes

Q Is it permissible for the owner of the house to place one drain in his house to which all of the washing goes, since included in that is the washing of food vessels and the washing of hands after finishing a meal?

A There is no sin in placing a drain for washing of dishes and hands after eating with other waste, because the fat which is on the hands and dishes is not food. But as for bread, meats and all kinds of food, it is not permissible to throw them in the drains. Rather, they must be sent to those who are in need of them, or they must be placed in a clear place where it is not abused, in the hope that someone will take them for their animals, or that the animals and birds will eat from them. It is not permissible to put them in the garbage, nor in rubbish dumps, nor in the road, because that would entail abuse of it and placing it in the road is an abuse and harmful to those who use the road.

Ibn Baz

The Ruling on Placing the Remainder of the Food in the Garbage and Using Newspapers as a Tablecloth

Q 1. Is it permissible to use newspapers as tablecloths in order to eat off them, and if it is not permissible, what should be done with them after reading them?

2. Regarding the leftovers from the food, some people put it in a box or the like so that the animals can eat it, but the cleaning workers come and place it with the rest of the garbage, so the question is: Is it permissible to put the food with the other garbage?

A 1. It is not permissible to use newspapers as tablecloths to be eaten off, nor to wrap things in them, nor to place them with other discarded things, if there are Qur'ānic Verse in them, or the Name of Allah, the Almighty, the All-Powerful is mentioned therein. If the situation is as we have mentioned, it is necessary to preserve them in a suitable place or burn them, or bury them in good earth.

2. It is necessary to send it to whoever will eat it, such as the poor, if there are any. And if there are no poor people to eat it, it must be put in a place far from the rubbish, so that animals may eat it. If that is difficult, then it is necessary to keep it in cartons or plastic bags or the like, and it is a duty of the municipalities in every city to order those responsible among them to place it in clean places so that it may be eaten by the animals, or so that people may take it for their animals. In this way the food may be saved from neglect and waste.

Ibn Baz

The Ruling on Using the Left Hand to Hold the Food and to Eat and Drink

Q Is it permissible to hold bread in the left hand, or is it not permissible? I noticed that approximately ninety percent of the people still take bread in their left hands in order to break the bread with the right hand, or they hold it. This is because bread is flexible and it is not possible to eat it in the right hand without the left hand. I request your advice in this matter.

A It is permissible to hold bread in the left hand. But as for taking it and giving it to another with the left hand, it should be done with the right hand, in order to comply with good manners. As for eating, it is not permissible to do so with the left hand, when one is able to eat with the right hand.

And Allah is the Granter of success. And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Equivalent of the Prophet's Sa' in Handfuls

Q The Sa' of the Messenger of Allah ﷺ, what is its equivalent in handfuls?

A What has been made evident to us regarding the Prophet's Sa' is that it is equivalent to four scoops of the average-sized man's two hands, if they are full. This is what some of the scholars, such as the compilers of *An-Nihayah* and *Al-Qamus* have said.

As for the scoops which are present in the markets, they differ from each other, therefore the basic measure is what the scholars have mentioned, which is to measure by an average-sized man's two handfuls.

And Allah knows best.

The Permanent Committee

The Ruling on Giving the Disbelievers Meat From the Sacrificial Animals

Q What is the ruling on giving a non-Muslim some of the meat of the sacrificial animals? Some of our scholars have permitted it, while others have not. In our country, we are a community of Muslims living next to disbelievers in the continent, and we do not know what is the ruling on that, should we give them meat from the sacrificial animals or not? And (should we give them) from all of our charities?

A It is permissible for the Muslim to give food and clothes and the like to his relative and his neighbor, even from the meat of the sacrificial animal. He may also give charity to them,

if they are poor, in order to maintain family ties and to fulfill the rights of his neighbor, and to incline their hearts (towards Islam). Allah, Most High says:

﴿وَإِنْ جَاهِدَاكَ عَلَىٰ أَنْ تُشْرِكَ بِي مَا لَيْسَ لَكَ بِهِ عِلْمٌ فَلَا تُطِعْهُمَا وَصَاحِبُهُمَا فِي الدُّنْيَا مَعْرُوفًا وَاتَّبِعْ سَبِيلَ مَنْ أَنَابَ إِلَيَّ﴾

"But if they (both) strive with you to make you join in worship with Me others that of which you have no knowledge, then obey them not; but behave with them in the world kindly, and follow the path of him who turns to Me in repentance and in obedience."^[1]

And He says:

﴿لَا يَنْهَكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُم مِّن دِيَارِكُمْ أَنْ تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ﴾

"Allāh does not forbid you to deal justly and kindly with those who fought not against you on account of religion nor drove you out of your homes. Verily, Allāh loves those who deal with equity."^[2]

It has been confirmed from the Prophet ﷺ that he ordered Asma' bint Abu Bakr, may Allah be pleased with her, to keep relations with her mother and she was a disbeliever at that time. And 'Umar bin Al-Khattab, may Allah be pleased with him, gave a gift of clothing to a relative who was a disbeliever. Nothing has been confirmed in the Islamic Law to prevent that, and the basic principle is one of permissibility. But the disbelievers should not be given *Zakah*, except in order to incline their hearts (towards Islam).

The Permanent Committee

^[1] Luqman 31:15.

^[2] Al-Mumtahanah 60:8.

The Book of Oaths

The Wordings of Oaths and Swearing

Q Is the expression: “Yaminullah” (Allah’s Oath) considered to be swearing an oath? And likewise, when a woman says to another: “I will be guilty of committing a sin if you do such-and-such, or take such-and-such.” And what is an emphatic oath? Advise me and may Allah bless you.

A If a person says: “Yameenullah” or something similar, then that is considered an oath, and it affirms what is affirmed by a clear oath beginning with the letter *Waw* or *Ba* or *Ta*.

Likewise, if a person declares something forbidden to himself, then this prohibition for himself carries the ruling of an oath, according to the Words of Allah, Most High:

﴿يَا أَيُّهَا النَّبِيُّ لِمَ تُحَرِّمُ مَا أَحَلَّ اللَّهُ لَكَ تَبْلَغْ أَرْوَاحَكَ وَاللَّهُ عَفُورٌ رَحِيمٌ﴾
 قَدْ فَرَضَ اللَّهُ لَكُمْ تَحِلَّةَ أَيْمَانِكُمْ ﴿١﴾

“O Prophet! Why do you forbid (for yourself) that which Allāh has allowed to you, seeking to please your wives? And Allāh is Oft-Forgiving, Most Merciful. Allāh has already ordained for you (O men) the absolution from your oaths.”^[1]

And the Words of Him, Most High:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحَرِّمُوا طَيِّبَاتِ مَا أَحَلَّ اللَّهُ لَكُمْ وَلَا تَعْتَدُوا إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ﴾ (٢٧) وَكُلُوا مِمَّا رَزَقَكُمُ اللَّهُ حَلَلًا طَيِّبًا وَأَنْقُوا اللَّهَ الَّذِي أَنْتُمْ بِهِ مُؤْمِنُونَ ﴿٢٨﴾ لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَّدْتُمْ

^[1] At-Tahrim 66:1-2.



“O you who believe! Make not unlawful the Tayyibāt (all that is good as regards foods, things, deeds, beliefs, persons) which Allāh has made lawful to you, and transgress not. Verily, Allāh does not like the transgressors. And eat of the things which Allāh has provided for you, lawful and good, and fear Allāh in Whom you believe.” Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths,^[1]

So Allah has mentioned atonement after He prohibited us from declaring the good He has allowed us to be forbidden.

When a person declares something forbidden, it is as if he swore an oath not to do it. If he said: “It is forbidden to me to enter the house of so-and-so,” it is the same as his saying: “By Allah, I will not enter the house of so-and-so.” And if he said: “It is forbidden to me to sell this thing,” it is the same as if he said: “By Allah, I will not sell this thing.” There is no difference in this — according to the most authoritative view — between the prohibition of the woman, i.e., the wife or another, due to the generality of the evidences which prove that, i.e., declaring something forbidden is the same as swearing an oath.

As for an emphatic oath, its emphasis may be from a number of different means. The first is from the view of the wording. Such as when the wording is associated with the Names of Allah, the Almighty, the All-Powerful — which prove the Punishment for one who contradicts them, such as: “Wallahil ‘Azimullathi La Ilaha Illa Huwal-Qahhar” (By Allah, the Great, aside from Whom none is worthy of worship but He, the Irresistible) and other similar Names which prove His Irresistibility and His Punishment.

They may also be emphasized by time. Such as when it is after ‘Asr, such as the Words of Allah, Most Blessed, Most High:

^[1] Al-Ma’idah 5:87-89.

﴿تَحْسِبُونَهُمَا مِنْ بَعْدِ الصَّلَاةِ فَيَقْسِمَانِ بِاللَّهِ﴾

“Detain them both after As-Salāt (the prayer), (then) if you are in doubt (about their truthfulness), let them both swear by Allāh (saying)”^[1]

The scholars said it may be emphasized by the place, such as when a person is at the pulpit of the Friday prayer. It may be emphasized by the position, such as when a person is standing, as it has been stated by some of the scholars — may Allah have mercy on them.

The oath might be emphasized due to the consequence of it. Such as if it was stated to separate someone from his wealth, this type of emphatic oath is a false oath, according to the words of the Prophet ﷺ:

«مَنْ حَلَفَ عَلَى يَمِينٍ وَهُوَ فِيهَا فَاجِرٌ لِيَقْطَعَ بِهَا مَالَ امْرِئٍ مُسْلِمٍ لَقِيَ اللَّهَ وَهُوَ عَلَيْهِ غَضَبَانٌ»

“Whoever swore to an oath in which he lies, acquiring the wealth of a Muslim person, will meet Allah and He will be Angry with him.”^[2]

Ibn ‘Uthaimin

Is the Saying of People: “I have Sworn Upon You” an Oath?

Q Many times I say such words as these and they are: “I have sworn to you that you should not do such-and-such.” And since sometimes I do not implement it, am I guilty of sin? And has an oath been made? Advise me and may Allah reward you.



It would appear that this wording does not fall under the ruling of an oath. Swearing is avowing by one of the

^[1] Al-Ma'idah 5:106.

^[2] Al-Bukhari no. 2416, 2417 and Muslim no. 138.

Names of Allah, Most High or one of His Attributes, such as your saying: "By Allah", "By the Lord of Might", "By the Power of Allah and His Majesty", or your saying: "I have sworn by Allah" and the like. As for saying: "I have sworn to so-and-so" there is no atonement necessary for it, but it is more prudent to fulfill one's oaths as well as those statements that resemble oaths.

Ibn Jibreen

The Ruling on Swearing by the Prophet ﷺ

Q When one swears by the Prophet ﷺ, is it an oath requiring atonement? And if it is not, then what is the recompense of one who breaks his oath?

A It is not permissible to swear by other than Allah, Most Glorified, Most High — neither by the Prophet ﷺ, nor by anyone else. Nor is an oath to be taken by other than Allah. There is no atonement for such statement, according to the saying of the Prophet ﷺ:

«مَنْ كَانَ حَالِفًا فَلْيَحْلِفْ بِاللَّهِ أَوْ لِيَصْمُتْ»

"Whoever swears, let him swear by Allah or be silent."^[1]

And his saying ﷺ:

«مَنْ حَلَفَ بِغَيْرِ اللَّهِ فَقَدْ كَفَرَ أَوْ أَشْرَكَ»

"Whoever swore by other than Allah has committed an act of Shirk."^[2]

(Narrated by Imam Ahmad, Abu Dawud and At-Tirmithi with an authentic chain of narrators)

It is incumbent upon one who swears by other than Allah to turn to Allah in sincere repentance for that. This is done by

^[1] Al-Bukhari no. 2679 and Muslim no. 1646.

^[2] Abu Dawud no. 3251 and At-Tirmithi no. 1535.

refraining from swearing by other than Allah, and expressing regret for what he has already done of that, and making the honest intention not to swear by other than Allah again. This is in accordance with the Words of Him, Most Glorified:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا تَوْبُوا إِلَى اللَّهِ تَوْبَةً نَّصُوحًا﴾

“O you who believe! Turn to Allāh with sincere repentance! It may be that your Lord will expiate from you your sins,”^[1]

And other Verses and *Hadiths* bearing the same meaning.

And Allah is the Granter of success.

Ibn Baz

Resolutions of the *Fiqh* Council on Placing the Hand on the *Tawrah* or the *Injil* or Both of Them When Swearing an Oath Before a Court

All praise be to Allah, Alone and may much peace and blessings be upon him after whom there is no Prophet, our leader and our Prophet, Muhammad and upon his family and Companions. As for what follows:

The Committee of the Islamic *Fiqh* Council has examined the question received regarding the ruling on a Muslim placing his hand on the *Tawrah* or the *Injil*, or both of them, when making a legal oath before the Courts in Non-Islamic countries, when the legal system therein requires it of one swearing testimony.

The Committee considered the opinions of the schools of Islamic Jurisprudence regarding what it is permissible to swear to, and what is not permissible in swearing in general, and in swearing a legal oath before a Judge. The Committee arrived at the following resolution:

1. It is not permissible to swear except by Allah, Most High,

^[1] *At-Tahrim* 66:8.

without anything else, according to the words of the Prophet ﷺ:

«مَنْ كَانَ حَالِفًا فَلْيَحْلِفْ بِاللَّهِ أَوْ لِيَصْمُتْ»

"Whoever swears, let him swear by Allah or be silent."^[1]

2. Placing the hand on a copy of the Qur'ān, or the *Tawrah* or the *Injil* or anything else while taking an oath is not necessary for the validity of the oath, but it is permissible if the Judge considers it necessary in order to make the oath binding, and to make the one testifying fearful of lying.
3. It is not permissible for a Muslim to place his hand upon the *Tawrah* or the *Injil* or both of them when swearing. The editions which are currently circulating are corrupt and not the originals which were revealed to Musa and 'Isa, peace be upon them, and because the Law which Allah, Most High sent to His Prophet, Muhammad ﷺ has abrogated all previous Laws.
4. If the judgement is in a country which rules by other than Islam, in which it is incumbent upon the one who swears to place his hand on the *Tawrah* or the *Injil* or both of them, then the Muslim must request from the Court that he be allowed to place his hand on the Qur'ān. But if his request is denied, he is considered to be acting under coercion, and there is no sin upon him for placing his hand on them or on one of them, as long as he does not intend thereby to glorify them.

Allah is the Granter of success. And may peace and blessings of Allah be upon the best of His creation, our leader, Muhammad and upon his family and Companions.

[1] Al-Bukhari no. 2679 and Muslim no. 1646.

Rulings on Oaths and Breaking Them

Q I often repeat the statement: “*Wallahi*” (By Allah) when speaking. Is this considered an oath? And how may I atone for it if I lied?

A If a Muslim man or woman who is legally responsible repeats the word: “*Wallahi*” about a deed, or about not performing a deed, with a serious intention — such as the saying: “By Allah, I will not visit so-and-so,” or the saying: “I will visit so-and-so,” twice or more,” or the saying: “By Allah, I will certainly visit so-and-so,” and the like — then if he breaks that oath, by not doing what he swore to do, or doing what he swore not to do, he must make the atonement for an unfulfilled oath.

That is to feed ten poor persons, or clothe them, or free a slave. In feeding, he must give half a *Sa‘* of the staple food of the country, such as dates, rice or the like. That is approximately one and a half kilograms. As for the clothing, it is whatever is suitable for praying in, such as a long shirt, or a waist wrap and upper wrap.

If he is unable to do any of these three things, then he must fast for three days, according to the Words of Allah, Most High:

﴿لَا يُؤَاخِذُكُمُ اللَّهُ بِالْغُرُوحِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَدْتُمُ الْأَيْمَانَ فَكَفَرْتُمْ^ط بِهَا
إِطْعَامَ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرَ
رَقَبَةٍ^ط فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ ذَلِكَ كَفَرَةُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ^ط﴾

Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten Masākīn (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days. That is the expiation for the oaths when you have sworn.^[1]

^[1] *Al-Ma'idah* 5:89.

However if the oath passed his lips unintentionally, and without seriousness, then it is considered thoughtlessness, and there is no atonement incumbent upon him for that. This is based upon the Noble Verse, in which Allah, Most Glorified said:

﴿لَا يُؤْخَذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ﴾


“Allāh will not punish you for what is unintentional in your oaths,”^[1]

It is enough for him to atone once for a repeated oath, if it was about one deed, as we have said previously. However, if it was about a number of deeds, then he must atone for each oath. Such as the saying: “By Allah, I will certainly visit so-and-so, by Allah, I will not speak to so-and-so, by Allah, I will beat so-and-so” and other similar statements. When he breaks one of these oaths or a similar oath, he must atone for it, and if he breaks all of them, he must atone for each of them.

And Allah is the Granter of success.

Ibn Baz

Making the Oath Subject to Allah’s Will

 What is the meaning of the *Hadith* of Ibn ‘Umar, may Allah be pleased with him, which states that the Messenger of Allah ﷺ said:

«مَنْ حَلَفَ عَلَى يَمِينٍ فَقَالَ: إِنْ شَاءَ اللَّهُ فَلَا حَنْثَ عَلَيْهِ»

“Whoever swears upon an oath, saying: “If Allah wills,” he has not broken his oath.”^[2]



The meaning of this *Hadith* is that if a person swears to something and he adds the words “If Allah wills”, and then he breaks the oath, there is no atonement incumbent upon

^[1] *Al-Ma'idah* 5:89.

^[2] Abu Dawud no. 3261, 3262. and At-Tirmithi no. 1531.

him. Such as by saying: “By Allah, if Allah wills, I will certainly do such-and-such,” then he does not do it. Or: “By Allah, if Allah wills it, I will certainly not do such-and-such,” then he does it. In this case, there is no atonement incumbent upon him, because he said: “If Allah wills.” Based upon this, it is desirable for a person who swears something to link his oath to the words: “If Allah wills”, so that if it was difficult for him to fulfill his oath, there would not be any atonement incumbent upon him.

There is another benefit in the one who swears saying: “If Allah wills”, which is that it makes the thing he swore easier to accomplish, because he entrusted the matter to Allah, Most High and Allah, the Almighty, the All-Powerful has said:

﴿وَمَنْ يَتَوَكَّلْ عَلَى اللَّهِ فَهُوَ حَسْبُهُ﴾ إِنَّ اللَّهَ بَلِّغُ أَمْرِهِ قَدْ جَعَلَ اللَّهُ لِكُلِّ شَيْءٍ قَدْرًا

“And whosoever puts his trust in Allāh, then He will suffice him. Verily, Allāh will accomplish his purpose. Indeed Allāh has set a measure for all things.”^[1]

Ibn ‘Uthaimin

He Swore to Abandon Something and He Did Not Abandon it

Q I swore by Allah, declaring my wife forbidden if she did a certain thing. Then I regretted this obligation and declaring her forbidden. What is the ruling on this, bearing in mind that I sought forgiveness from Allah and my wife did the thing about which I had sworn?

A You must atone for the unfulfilled oath, since you swore to abandon something and you did not abandon it, or you swore to your wife that she must not do something and she did it. As for the declaration that she would be forbidden, if you intended by it to emphasize the vow, then hopefully it is enough

^[1] At-Talaq 65:3.

for you to atone for the unfulfilled oath. But if you meant to declare your wife forbidden in addition to the oath, then you must make the atonement for *Zihar*, which is mentioned at the beginning of the *Surah*:

﴿قَدْ سَمِعَ اللَّهُ قَوْلَ الَّتِي تُجَادِلُكَ فِي زَوْجِهَا﴾

"Indeed Allāh has heard the statement of her (Khaulah bint Tha'labah) that disputes with you (O Muhammad ﷺ) concerning her husband"^[1]

Ibn Jibreen

He Swore Not to do Something, Then He Did it

Q I have a maternal uncle who speaks about me and verbally abuses and curses me in front of people, in spite of the fact that I have not done anything to warrant any of this. So I swore that I would not speak to him, nor enter his house, but I entered it after a number of days had passed. What should I do?

A You must make the atonement for an unfulfilled oath since you swore an oath and then broke it. That atonement is to feed ten poor persons with the usual meal which you and your family eat, the food of lunch or dinner for one day, or clothe them with garments fitting for prayer.

But if you are poor and unable to do this, then you must fast for three consecutive days and you must take care to repair relations between yourself and your uncle, removing what (enmity and rancor) is in his heart, and apologize for the things which caused him to verbally abuse you. This is part of maintaining family ties, and mercy will not be shown to people who breaks family ties.

Ibn Jibreen

^[1] *Al-Mujadilah* 58:1.

He Swore Not to do Something, But He Fears That He Might do it

Q A person swore not to do a certain thing, and that if he did it, he would fast for two consecutive months. Now he fears that he might do this thing. What is the ruling?

A This man wishes to prevent himself from doing a certain thing, and so he swore that if he did it he would fast for two consecutive months. His intention by this was to remember a powerful reason to prevent himself from doing it, which was to fast for two consecutive months. Cases such as this fall into the category of a vow. What is intended by a vow is to encourage or prevent, or to confirm the truth of something or belie it. The ruling for a vow, according to the scholars, is the same as that for an oath. Based upon this, we say to this man: If you did this, it is incumbent upon you to make the atonement for an unfulfilled oath, which is to feed ten poor persons, or clothe them, or to free a slave. And if you are unable to do these things, you must fast for three days.

Ibn 'Uthaimin

He Swore Not to do Something, Then He Did it Forgetfully

Q The Following letter was received by the Committee:

A man swore by Allah that he would not shake hands with women. After some time, he entered a meeting in which there were women among the neighbors present, and he shook hands with them, forgetting his previous oath. Now he is asking what is the consequence of it.

A Having studied the request for a legal verdict, the Committee answered as follows:

If the matter is as stated by the questioner, that he shook hands

with women after swearing an oath that he would not shake hands with them, and that he did so due to forgetfulness, then there is no sin upon him, according to the Words of Allah, Most High:

﴿رَبَّنَا لَا تُؤَاخِذْنَا إِن نَّسِينَا أَوْ أَخْطَأْنَا﴾

“Our Lord! Punish us not if we forget or fall into error,”^[1]

And it has been authentically reported from the Prophet ﷺ that he said:

«إِنَّ اللَّهَ وَضَعَ عَنْ أُمَّتِي الْخَطَأَ وَالنَّسْيَانَ وَمَا اسْتُكْرِهُوا عَلَيْهِ»

“My people have been pardoned for their mistakes, their forgetfulness and the things which they are forced to do.”^[2]

If he does something in the future (i.e. shaking hands with women) when he is aware of it, and he does it deliberately, he must make the atonement for an unfulfilled oath. He must also bear in mind that it is not permissible for him, according to the Islamic Law, to shake hands with women, unless they are *Mahrams* for him, such as his mother, his sister, his daughter and their like.

And may peace and blessings of Allah be upon our Prophet Muhammad.

The Permanent Committee

He Forbade Something to Himself and Now He Wants to do it

Q I have a brother who is older than I. In the year 1967 C. E., I was unable to provide the necessary food, and whenever my brother provided a meal, he would scold me and this offended me. Because of this, I declared tea to be

^[1] *Al-Baqarah* 2:286.

^[2] *Ibn Majah* 2045.

forbidden to me just as my mother is forbidden to me. From 1967 C. E. until now, I have not drunk it. I request from you, honorable Shaykhs, that you explain to me regarding this prohibition, is it permissible for me to drink tea, or not?



It is not permissible to declare something forbidden if Allah has made permissible. This is because declaring things permissible or forbidden is for Allah, Alone. By declaring this forbidden to yourself, you have transgressed against Allah's Right and placed (unnecessary) constraints upon yourself. So turn in repentance to Allah and seek forgiveness from Him for having declared something forbidden, and you must make the atonement for an unfulfilled oath if you drank tea. Allah, Most High says:

﴿يَا أَيُّهَا النَّبِيُّ لِمَ تُحَرِّمُ مَا أَحَلَّ اللَّهُ لَكَ تَبْتَغِي مَرْضَاتَ أَزْوَاجِكَ وَاللَّهُ غَفُورٌ رَحِيمٌ ﴿١﴾ قَدْ فَرَضَ اللَّهُ لَكُمْ تَحِلَّةَ أَيْمَانِكُمْ وَاللَّهُ مَوْلَاكُمْ وَهُوَ الْعَلِيمُ الْحَكِيمُ ﴿٢﴾﴾

"O Prophet! Why do you forbid (for yourself) that which Allāh has allowed to you, seeking to please your wives? And Allāh is Oft-Forgiving, Most Merciful. Allāh has already ordained for you (O men) the absolution from your oaths. And Allāh is your Maulā (Lord, or Master, or Protector) and He is the All-Knower, the All-Wise."^[1]

He also says:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحْرِمُوا طَبِيبَ مَا أَحَلَّ اللَّهُ لَكُمْ وَلَا تَعْتَدُوا إِنَّ اللَّهَ لَا يُحِبُّ الْمُعْتَدِينَ ﴿٧٧﴾ وَكُلُوا مِمَّا رَزَقَكُمْ اللَّهُ حَلَلًا طَيِّبًا وَأَنْتُمْ وَالَّذِي أَنْتُمْ بِهِ مُؤْمِنُونَ ﴿٧٨﴾ لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَّدْتُمُ الْأَيْمَانَ فَكَفَرْتُمْهُ إِطْعَامُ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ أَوْ كَسَوْتُمْهُمُ أَوْ تَحْرِيرُ رَقَبَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ ذَلِكَ كَفْرَةُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ وَاحْفَظُوا أَيْمَانَكُمْ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ ءَايَاتِهِ لَعَلَّكُمْ تَشْكُرُونَ ﴿٨٩﴾﴾

^[1] At-Tahrim 66:1-2.

“O you who believe! Make not unlawful the Tayyibāt (all that is good as regards foods, things, deeds, beliefs, persons) which Allāh has made lawful to you, and transgress not. Verily, Allāh does not like the transgressors. And eat of the things which Allāh has provided for you, lawful and good, and fear Allāh in Whom you believe. Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten Masākīn (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days. That is the expiation for the oaths when you have sworn. And protect your oaths (i.e., do not swear much). Thus Allāh makes clear to you His Ayāt (proofs, evidences, verses, lessons, signs, revelations, etc.) that you may be grateful.”^[1]

So it is enough for you to feed ten poor persons with five Sa‘ of wheat, dates, rice or the like, giving each of the ten poor persons half a Sa‘. And if you are unable to do this, then fast for three days.

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

He Swore That He Would Not Do Something and Then He Was Compelled to do it

Q I went to some of my friends and they forced me to remain with them. I declared all the expense they had incurred for me to be forbidden to me, and they went and slaughtered a sheep for me, and compelled me to eat it, so I obliged them and ate, what must I do?

A You must atone for declaring something forbidden to yourself and then breaching that declaration. You must

^[1] Al-Ma‘idah 5:87-89.

make the atonement for an unfulfilled oath, which is to feed ten poor persons with an average meal which you would feed to your family, of wheat, dates or the like, giving each poor person half a Sa'. Or, you must clothe ten poor persons, or free a slave. If you are unable to do any of these things, you must fast for three days, in compliance with the Words of Allah, Most High:

﴿يَا أَيُّهَا النَّبِيُّ لِمَ تُحَرِّمُ مَا أَحَلَّ اللَّهُ لَكَ تَبْتَغِي مَرْضَاتَ أَزْوَاجِكَ وَاللَّهُ غَفُورٌ رَحِيمٌ ۖ قَدْ فُضَّ اللَّهُ لَكُمْ فَحْلَهُ أَيَمَنِيكُمْ﴾

"O Prophet! Why do you forbid (for yourself) that which Allāh has allowed to you, seeking to please your wives? And Allāh is Oft-Forgiving, Most Merciful. Allāh has already ordained for you (O men) the absolution from your oaths."^[1]

And His saying:

﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا لَا تُحَرِّمُوا طَيِّبَاتٍ مَّا أَحَلَّ اللَّهُ لَكُمْ﴾

"O you who believe! Make not unlawful the Tayyibāt (all that is good as regards foods, things, deeds, beliefs, persons) which Allāh has made lawful to you,"^[2]

Then Allah clarifies the characteristics of the atonement, in His Words:

﴿لَا يُؤْخَذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤْخَذُكُمْ بِمَا عَقَّدْتُمُ الْأَيْمَانَ فَكَفَّرتُهُ إِطْعَامُ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ رَقَبَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ ذَلِكَ كَفَرَةُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ﴾

"Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten Masākīn (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days. That is the

^[1] At-Tahrim 66:1-2.

^[2] Al-Ma'idah 5:87.

expiation for the oaths when you have sworn.”^[1]

The Permanent Committee

He Swore Not to do Something, Then He Was Forced to do it

Q I swore upon a copy of the Qur’ān that I would not do a certain thing, but circumstances compelled me to violate this oath and I want to atone for this sin, so what is the way to do that?

A You must make atonement for an unfulfilled oath if you did not abandon the thing which you swore to abandon, whether you swore on a copy of the Qur’ān or not, according to the Words of Allah, the Almighty, Most High:

﴿لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَّدْتُمُ الْأَيْمَانَ ۖ فَكَفَّרَتُهَا إِطْعَامُ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ رَقَبَةٍ ۖ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ ۚ ذَلِكَ كَفْرَةُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ ۚ وَاحْفَظُوا أَيْمَانَكُمْ﴾

“Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten Masākīn (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days. That is the expiation for the oaths when you have sworn. And protect your oaths (i.e., do not swear much).^[2]

If you fed ten poor people lunch or dinner or clothed them, you would have fulfilled the atonement thereby. If you gave each one of them half a Sa‘ of dates, wheat or rice, it would be enough for you.

^[1] Al-Ma'idah 5:89.

^[2] Al-Ma'idah 5:89.

If the thing you swore about was an act of disobedience to Allah — such as smoking or drinking intoxicants or the like — it would be forbidden for you to do it, even if you had not sworn to abandon it. So fear Allah and avoid what Allah has forbidden to you.

Ibn Baz

The Oath is According to the Intention of the One Who Swears

Q My friends sat at the door and I invited them to enter, but they excused themselves, so I said to them: “By Allah, the Most Great, you must enter, do not stop there.” But they convinced me that they were busy and left. I request clarification from you regarding what is required of me concerning my oath, may Allah reward you.

A Among the rights of a Muslim upon another Muslim is to help him fulfill his oaths. Since you swore that they should not stand at your door, if you intended that they should not prolong and continue standing there, and still they left after your oath, then your oath was fulfilled since they left and they did not remain. But if you intended only stopping, even for a short while, then they stopped after your oath and thus violated your oath, then you must make the atonement for an unfulfilled oath, which is to feed ten poor persons with an average meal that you would feed to your family, or to clothe them, or to free a slave. And if you are unable to do any of these three things, you must fast for three consecutive days.

Ibn Jibreen

The Ruling on Swearing about Some Sport or Pastime

Q If a person swore about some sport or pastime, saying for example: “By Allah, I will not play cards as a

diversion and then he played,” is that considered an oath?



Yes, an oath is whenever a person makes an oath in his heart, according to the Words of Allah, Most High:

﴿لَا يُؤْخَذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤْخَذُكُم بِمَا عَقَدْتُمُ الْأَيْمَانَ﴾

“Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths;”^[1]

So when a person swears by an oath intentionally, in his heart, then that is an oath. It does not matter whether it was about something, permissible, or something, obligatory, or something forbidden.

When one makes an oath, it must be examined to see if it was uttered for something good. If it was, then he should remain upon it, but if it was not, the Prophet ﷺ said:

«مَنْ حَلَفَ عَلَى يَمِينٍ فَرَأَى غَيْرَهَا خَيْرًا مِنْهَا فَلْيَأْتِ الَّذِي هُوَ خَيْرٌ وَلْيَكْفُرْ عَنْ يَمِينِهِ»

“Whoever swore an oath, then he saw something better than it, he should atone for his oath and do the thing which is better.”^[2]

So if he swore, for example, not to play cards, then he should remain with his oath and not break it, therefore he should not play cards. But if he wanted to play cards, we say to him: “Do not remain with this oath of yours; instead, abandon it and atone for your oath.” And the atonement for an unfulfilled oath is to feed ten poor persons, or clothe them, or to free a slave. And whoever is unable to do these things must fast for three consecutive days.

Ibn ‘Uthaimin

^[1] *Al-Ma'idah* 5:89.

^[2] Muslim no. 1650.

The One Who Breaks His Oath Must Atone for it

Q One day, a person closely related to me provoked me by saying: “You will take one of the daughters of so-and-so (as a wife).” I responded: “By Allah, if the daughters of so-and-so were the last women in the world, I would not marry any of them.” Years passed by and I married one of them. And I am now living — all praise and thanks be to Allah — a happy life. I request you to guide me to what I should do regarding that previous oath.

A If the situation is as you have described in the question, then you must make atonement for an unfulfilled oath. That is to feed ten poor persons, or clothe them, or to free a slave. The requirement in feeding the poor is to give each of them half a *Sa'* of the staple food of the country, such as dates, wheat or some other thing, and that is equivalent to approximately one and a half kilograms. The clothing should be of garments suitable for praying in, such as a long shirt or a waist wrap and an upper wrap. If he is unable to feed or clothe (the poor), or to free a slave, then he must fast for three consecutive days, according to the Words of Allah, Most Glorified:

﴿لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ بِأَيْمَانِكُمْ إِذَا عَقَدْتُمُ الْآيَةَ فَكَفَرْتُمْ ۚ
إِطْعَامُ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ
رَقَبَةٍ ۖ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ ۚ ذَلِكَ كَفْرُهُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ ۚ وَاحْفَظُوا
أَيْمَانَكُمْ﴾

“Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten Masākīn (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days. That is the expiation for the oaths when you have sworn. And protect your

oaths (i.e. do not swear much).^[1]

Ibn Baz

A Woman Swears to Her Children, Then They Disobey Her

Q I have children and often I swear to them that they should not do such-and-such, but they do not obey my orders. Must I atone for a broken oath in these circumstances?

A If you swore an oath about them, or others, intending that they should do something, or that they should not do something, then they disobeyed you, you must atone for an unfulfilled oath, according to the Words of Allah, Most Glorified:

﴿لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَّدْتُمُ الْأَيْمَانَ فَكَفَّرتُمْهُ
إِطْعَامُ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ
رَقَبَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ ذَلِكَ كَفَّرتُمْهُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ وَاحْفَظُوا
أَيْمَانَكُمْ﴾

"Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten Masākīn (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days. That is the expiation for the oaths when you have sworn. And protect your oaths (i.e., do not swear much)."^[2]

Likewise, if you swore to do something or to abandon something, then afterwards you thought that it was in your

^[1] Al-Ma'idah 5:89.

^[2] Al-Ma'idah 5:89.

best interest to contradict that, then there is no objection to breaking your oath and performing the above-mentioned atonement, in accordance with the saying of the Prophet ﷺ:

«إِذَا حَلَفْتَ عَلَى يَمِينٍ فَرَأَيْتَ غَيْرَهَا خَيْرًا مِنْهَا فَكْفَرُ عَنْ يَمِينِكَ وَأَتِ
الَّذِي هُوَ خَيْرٌ»

"If you swore an oath, then saw something better than it, atone for your oath and do the thing which is better."^[1]

Ibn Baz

A Woman Swore Not to Enter Her Son's House and (Now) She Wishes to Buy the House

Q A woman swore not to enter her son's house after his father died and (now) the mother wishes to buy the house and the son agrees. May the mother buy the house and live in it? And if it is not permissible for her, is there any atonement?

A There is no objection to her buying the house, if its owners agree to sell it. If she entered it after buying it, then there is no atonement incumbent upon her, because it has become her house, not the house of her son. But if she entered the house of her son in which he lives, she must make atonement for an unfulfilled oath, whether he owned the house or he rented it.

The atonement for an unfulfilled oath, or an oath which is not kept, is to feed ten poor persons, or to clothe them, or to free a slave. Whoever is unable to do these three things must fast for three (consecutive) days as proved by the Words of Allah, Most Glorified in *Surat Al-Ma'idah*. Each poor person is given half a *Sa'* of the staple food of the country, such as dates, rice or some other food; that is equivalent to approximately one and a half

^[1] Al-Bukhari no. 6622 and Muslim no. 1650.

kilograms. If he fed them lunch or dinner, or clothed each of them with a garment suitable for praying in, that would be sufficient for him.

If her son was living in the house after she bought it and she entered before he had moved, she would have to make the aforementioned atonement.

And Allah is the Granter of success.

Ibn Baz

The Ruling on Swearing to Divorce and Swearing to do What is Forbidden

Q People in our area frequently swear oaths to divorce and to make their wives unlawful to them; what is the ruling on this?

A As for an oath to divorce, it is detested and it should not be done. It leads to family breakups — according to some of the scholars — and because divorce is the most hated of all permissible things to Allah.

So it is incumbent upon the Muslim to guard his tongue against this, except when it is necessary to divorce, and to resolve upon it when one is not in a state of anger.

It is more fitting to content oneself with swearing by Allah, Most Glorified, if a person wishes to emphasize something to one of his companions, or to one of his guests, to make him stay with him or anything else. As for being angry, he should seek refuge with Allah from Satan and guard his tongue and his limbs from doing things that are not fitting. As for declaring something forbidden, it is not permissible, whether it was by way of an oath or anything else, according to the Words of Allah, Most High:

﴿يَا أَيُّهَا النَّبِيُّ لِمَ تُحَرِّمُ مَا أَحَلَّ اللَّهُ لَكَ﴾

“O Prophet! Why do you forbid (for yourself) that which Allāh has allowed to you,^[1]

— as well as other well known evidences, and because it is not permissible for a Muslim to declare something forbidden if Allah has declared it permissible for him. May Allah protect us all from the prompting of Satan.

Ibn Baz

Swearing to Divorce Three Times For the Purpose of Obliging Someone

Q What is your opinion regarding a man who swears an oath to one divorce three times to a Muslim brother, saying that verily, he will do such-and-such, and he does not do it? Is the oath implemented upon the wife? What is the ruling of Islam if that oath is not implemented? Benefit us (with advice) and may Allah benefit you (with reward)

A If a person swears three times to divorce if so-and-so does such-and-such, or does not do such-and-such, or he says three times: “I must divorce my wife if I don’t make a wedding party for so-and-so,” or: “if I do not speak to so-and-so,” then that requires clarification: If the intention was to compel (someone) and emphasize and not that divorce should actually take place, then the ruling on this is one of an oath. Then it requires an atonement for an unfulfilled oath, which is to feed ten poor persons or to clothe them, or to free a slave. If he is unable to do these things, then he must fast for three (consecutive) days.


But if his intention was that divorce should take place if he did not do this thing, then one divorce of his wife takes place, even if he pronounced it three times, according to the correct view. He may take her back, as long as she is still in her waiting


^[1] *At-Tahrim* 66:1.

period. But if she has completed her waiting period before he takes her back, she is not permissible to him except with a new marriage and all of its accepted conditions. This is because evidence has been authentically reported from the Prophet ﷺ proving that pronouncing divorce three times at one time is considered as one divorce, according to what was reported by Muslim from the *Hadith* of Ibn 'Abbas, may Allah be pleased with them.

Ibn Baz

He Swore an Oath of Divorce so That He Would not Return to Something, Then He returned to it

 A young married man used to practice some act forbidden by the Islamic Law and one day, he swore that he would not do this thing again. He said: "My wife will be divorced if I did this again." He also said: "If I do this thing again, my wife will be as my mother to me." He repented to Allah for a while, but he went to the place where the forbidden thing was and the devil caused him to commit sin. After he committed the sin, he had sexual intercourse with his wife and she became pregnant. Now I am requesting clarification of the rulings of the Islamic Law along with the atonement, and (of) what is incumbent upon him.

 If his intention was to prevent himself from doing that forbidden thing and sin, and he had no desire to part from his wife, and he made the divorce conditional upon him doing that forbidden thing, then he must make the atonement for a broken or unfulfilled oath regarding the divorce, as well as the atonement for *Zihar* for his saying: "My wife will be as my mother to me."

He should cease having sexual intercourse with his wife until he has fulfilled both forms of atonement. The atonement for an oath is to choose between freeing a slave and feeding ten poor persons or clothing them. Whoever is unable to do these things,

he must fast for three (consecutive) days. The atonement for *Zihar* is to free a slave; and whoever is unable to do this, he must fast for two consecutive months. Whoever is unable to do this, then he must feed sixty poor persons.

However, if he actually intended divorce, and he had become averse to his wife and so desired to make this sin a sign of parting, then she is divorced from him once, and he may take her back if she is still in her waiting period. And it is incumbent upon him to protect himself from this sin as well as other sins.

Ibn Jibreen

He Swore to Divorce in a Fit of Anger

Q I swore to divorce in a fit of anger so that I would not do a certain type of work. Then I was overcome with remorse for the thing for which I had divorced, because it is by pursuing this work that I make a living for myself and my children. So what is the ruling of the Islamic Law on this?

What is the ruling on one who rejects (belief in) the jinn, and is it permissible to marry a female jinn?

A Since the above-mentioned oath was sworn at the time of intense anger, and it appears that the intention behind it was to prevent himself from doing this work, and that the one who swore did not desire to part from his wife, I consider that he must make the atonement for an unfulfilled oath. That is to feed ten poor persons, with an average meal which he would feed to his family, or to clothe them etc.

He may pursue this work which is of benefit to him, for whoever swore upon an oath and then saw something else better than it, should atone for his oath and do the thing which is better.

We believe that Allah created the jinn to worship Him, like mankind, but He has hidden them from the sight of mankind, as He has hidden the angels and the devils. Allah, Most High says:

﴿إِنَّهُ يَرْتَكِبُ هُوَ وَقَبِيلُهُ مِنْ حَيْثُ لَا تَرَوْنَهُمْ﴾

Verily, he and Qabiluhu (his soldiers from the jinn or his tribe) see you from where you cannot see them.^[1]

Since they are spirits without bodies, like the spirit of man, who dies when his soul leaves his body and we believe that Satan circulates in the body of man like the circulation of blood.

Likewise, the jinn are able to enter a man's body and control him, but it has not been transmitted that a man married a female jinn, or the opposite. Perhaps the reader would care to refer to *Risalah Idhah Ad-Dalalah* by Ibn Taimiyyah.

Ibn Jibreen

He Swore to Divorce Forgetfully

Q A man swore to divorce due to forgetfulness after being recently married. He said: "I must divorce next year if I do not purchase such-and-such." If he did not purchase (that thing), is his wife divorced? And if he did not purchase it, what is incumbent upon him, bearing in mind that it is not his custom to swear to divorce — to the extent that he sought forgiveness from Allah.

A The ruling on sayings such as this differs depending upon the intention of the husband. If his intention was to encourage and to incite himself to buy something — and he did not intend to part from his wife if he did not purchase the thing he mentioned in his oath to divorce — then this divorce will fall under the ruling of an oath, according to the most authoritative saying of the scholars. Then he must make the atonement for it, which is to feed ten poor persons, giving each of them half a *Sa'* of the staple food of the country, such as dates or some such thing. That is equivalent to approximately one and a half

^[1] *Al-A'raf* 7:27.

kilograms. If he gave dinner to the ten or fed them lunch, or clothed them in garments fitting for prayer, that would be sufficient for him.

However, if his intention was that the divorce of his wife should take place if he did not purchase the thing, then the divorce would be counted upon her. It is desirable for a believer to avoid the use of divorce in these conditional pronunciations, because many of the scholars consider that divorce has taken place in all such cases. And the Prophet ﷺ said:

«فَمَنْ اتَّقَى الشُّبُهَاتِ اسْتَبْرَأَ لِدِينِهِ وَعَرْضِهِ»

“Whoever avoided the unclear matters, has saved his religion and his honor.”^[1]

Ibn Baz

He Said to His Wife: “If You Go Out, Then do Not Return,” Intending to Prevent Her

Q I said to my wife: “If you go out without my permission then do not come back.” — And by that, I only intended to prevent her from going out. I did not think at that moment of divorce or the like. Now I fear that my wife will be forced to go out and I will not know of her having gone out. Is what occurred an oath, and may I make atonement for it now, or what is required of me? Benefit me (with advice) and may Allah benefit you (with reward).

A These words fall under the ruling of an oath. If she goes out, you must make atonement for a broken oath, but she will not be divorced thereby, according to the saying of the Prophet ﷺ:

«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ»

^[1] Al-Bukhari no. 52 and Muslim no. 1599.

"Deeds are according to intentions."^[1]

And his saying:

«الْمُسْلِمُونَ عَلَى شُرُوطِهِمْ»

"The Muslims must abide by their conditions."^[2]

And Allah is the Granter of success.

Ibn Baz

He Said to Her: "If You do Such-and-such, You Are Forbidden (to Me)," Then She Did it Forgetfully

Q A man purchased a television and he said to his wife: "If you turn on the television to any program other than a religious one, then you will be forbidden to me." Then he entered and found the television showing a series and he asked her about it and she said: "I forgot to turn it off after the religious program." What is the ruling on this?

A If the situation is as mentioned, that she forgot to turn it off after the religious program, then his oath has not been broken. But his saying at the start: "If you turn on the television to any program other than a religious one, then you will be forbidden to me," is not permissible, indeed it is a transgression against the Right of Allah. Declaring forbiddance and permission is for Allah, Alone. Allah, Most High says:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَحْرِمُوا طَيِّبَاتِ مَا أَحَلَّ اللَّهُ لَكُمْ وَلَا تَقْدُوا إِنَّ اللَّهَ لَا يُحِبُّ الْمَعْتَدِينَ﴾

"O you who believe! Make not unlawful the Tayyibāt (all that is good as regards foods, things, deeds, beliefs, persons) which Allāh has made lawful to you, and transgress not. Verily, Allāh does not like the transgressors."^[3]

[1] Al-Bukhari no. 1 and Muslim no. 1907.

[2] Abu Dawud no. 3594 and At-Tirmithi no. 1352.

[3] Al-Ma'idah 5:87.

and He says:

﴿يَا أَيُّهَا النَّبِيُّ لِمَ تُحَرِّمُ مَا أَحَلَّ اللَّهُ لَكَ تَبْتَغِي مَرْضَاتَ أَزْوَاجِكَ وَاللَّهُ غَفُورٌ رَحِيمٌ﴾

"O Prophet! Why do you forbid (for yourself) that which Allāh has allowed to you, seeking to please your wives? And Allāh is Oft-Forgiving, Most Merciful."^[1]

It is an obligation on the wife not to turn on the television except for the religious programs and to be careful to turn it off when the religious program is over. The husband must make atonement for an oath if she deliberately turned it on to view one of the program her husband wanted to prevent her from watching. This is because this saying falls under the ruling of an oath, according to the most authoritative saying of the scholars.

It is incumbent upon all Muslims not to turn on the television to watch these forbidden programs; those that include singing, music, and those reprehensible series and other things which Allah has forbidden.

And Allah is the Granter of success. May peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on Prohibiting Something by the Heart Without Uttering it, With the Intention of Preventing it

Q I am a person who smoke and I said in my heart: If I smoke again, my wife will be forbidden to me. And I forgot and then smoked and then I remembered that I had said that my wife would be forbidden to me. What is incumbent upon me in this situation?



Since you are very serious about giving up smoking, I ask Allah, Most Glorified, Most High to help you in giving it

^[1] *At-Tahrim* 66:1.

up and to bless you with a sincere determination, perseverance and patience so that you are successful in attaining that which you desire.

As for your question about declaring your wife forbidden, if you said it in your heart without pronouncing it, then there is no ruling for it, nor is there any effect from it. If you uttered it, and you meant to reinforce yourself that you should give up smoking, then the ruling of that is the ruling of an oath. If you deliberately smoked while remembering your oath, then you must make atonement for a broken oath. But if you forgot, there is nothing incumbent upon you. But, do not return to it after that when you are mindful of your oath, because if you do so, you will be obliged to make an atonement, I mean the atonement for an oath, which is to feed ten poor persons or clothe them, or to free a slave.

You may choose which of these three things to do. As for the method of feeding the poor, it is to provide lunch or dinner for them, or you may give them rice accompanied by meat. Six kilograms is sufficient for all ten of them, whether they are in one house or in a number of houses. And if you do not find any poor people to whom you may give this, then you must fast for three consecutive days.

Ibn 'Uthaimin

Declaring Something Permissible to be Forbidden Does not Make it so

Q I am a young man and I wanted to marry my maternal uncle's daughter, but my mother said that she had declared this girl to be forbidden to all of my brothers. And now my mother absolutely regrets (her prohibition) and I want to marry my maternal uncle's daughter. My question is, what is the ruling of the Islamic Law on this? And is it permissible for me to marry or not? And what is the atonement for that?



Forbidding something which is permissible does not make it forbidden, it only falls into the category of an oath, because the Prophet ﷺ said one day:

«هَذَا الْعَسَلُ عَلَيَّ حَرَامٌ»

“This honey is forbidden to me.”

And so Allah revealed to him His Words:

﴿يَا أَيُّهَا النَّبِيُّ لِمَ تُحَرِّمُ مَا أَحَلَّ اللَّهُ لَكَ﴾

“O Prophet! Why do you forbid (for yourself) that which Allāh has allowed to you,”^[1]

Then He said:

﴿قَدْ فَرَضَ اللَّهُ لَكُمْ تَحِلَّةَ أَيْمَانِكُمْ﴾

“Allāh has already ordained for you (O men) the absolution from your oaths.”^[2]

That is, Allah has made clear to you the atonement by which your oaths are dissolved, i.e., in His Words:

﴿فَكَفِّرُنَّهُ إِطْعَامُ عَشْرَةِ مَسْكِينٍ﴾

“for its expiation (a deliberate oath) feed ten Masākīn (poor persons),”^[3]

Based upon this, this girl is not forbidden to you by the words of your mother, but she must atone for them as an expiation for what she said.

And Allah knows best.

Ibn Jibreen

^[1] At-Tahrim 66:1.

^[2] At-Tahrim 66:2.

^[3] Al-Ma'idah 5:89.

The Rulings of the Atonement

The Atonement for an Oath



What is the atonement for an oath?



Allah, Most High has clarified the atonement for an oath in the Noble Qur'an. He, Most High said in *Surat Al-Ma'idah*:

﴿لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَدْتُمُ الْأَيْمَانَ فَكَفَرْتُمْهُ؛
إِطْعَامُ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ
رَقَبَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ﴾

"Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten Masākīn (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days."^[1]

And *Al-Laghw* is what passes the lips of a person when he is speaking, such as the words: "No, by Allah," and: "On the contrary, by Allah," without any intention and there is no atonement for it. It is only required when one intends it by one's heart, in which case, he must choose between freeing a slave or feeding ten poor persons with an average meal which he and his family would eat — the food of one night. And it is enough for him to feed them lunch or dinner or to give them what is sufficient for them, or to clothe them with garments suitable for prayer. If he is unable to do these things, he must fast for three consecutive days.

Ibn Jibreen

^[1] *Al-Ma'idah* 5:89.

The Amount of Food Required for the Atonement of an Oath

Q We know that the atonement for an oath is to feed ten poor persons; the question is: "What is the amount of food for each poor person? And of what type is it?"

A The atonement for an oath is to feed ten poor persons or clothe them, or to free a slave. Whoever is unable to do this must fast for three consecutive days. As for feeding the poor, it is with the average meal which the one who took the oath would feed to his own family. They may be fed it in his presence, either lunch or dinner, until they are satisfied, or he may give them food that is sufficient for one night. The amount of that is considered to be half a *Sa'* of rice or the like. As for clothing them, it must be with garments suitable for prayer.

Ibn Jibreen

How to Make the Atonement for an Oath

Q The atonement for an oath is to feed ten poor persons. Is feeding them one time sufficient? And is it permissible to give them food before it is cooked? And what is the amount of it?

A Feeding them one time is sufficient — Allah Willing. The required amount is a lunch or dinner that is fed to them until they are satisfied. If he gave them uncooked food, the amount given to each poor person would be one and a half kilograms of rice. It is also better to give them whatever benefits them, just as he would give his family (such as meat, salad, bread etc.), according to the Words of Allah, Most High:

﴿فَكَفَّرْنَاهُ بِإِطْعَامِ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ﴾

"for its expiation (a deliberate oath) feed ten Masākīn (poor persons), on a scale of the average of that with which you feed your

own families,^[1]

— i.e., of the usual food which you and your family eat.

Ibn Jibreen

It is Better to Make the Atonement Before Breaking the Oath

Q I swore by Allah that I would not go to my brother and that I would sever relations with him. After that, I heard something about maintaining family ties, so now I want to go to him. Is it incumbent upon me to do anything with regard to this? And if an atonement for an oath is incumbent upon me, should I atone before going to him, or after it?

A It is not permissible for you to continue severing relations and cutting off family ties, even if you swore to do so, because whoever swore an oath to do something, then found something better than it, he should do what is better and atone for his oath.

It is better to make the atonement before — if he has decided to break it — and if he delayed it until after he had broken it, then atoned for it, that would be sufficient for him.

Ibn Jibreen

It is Not Permissible to Begin With Fasting Before Feeding (the Poor)

Q If I swore not to do something, then came a day when I did it, may I fast for three days, then complete this thing? Or must I stop doing it?

A If a person swore not to do something, then he did it, he must make the atonement for an oath. If he said: "By

^[1] Al-Ma'idah 5:89.

Allah, I will not speak to so-and-so,” or: “I will not eat his food,” then he spoke to him or ate his food, then he must make atonement for an oath, according to the Words of Allah, Most High:

﴿لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَّدْتُمُ الْأَيْمَانَ فَكَفَّرتُهَا
إِطْعَامَ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ
رَقَبَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامَ ثَلَاثَةِ أَيَّامٍ ذَلِكَ كَفَّارَةُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ وَاحْفَظُوا
أَيْمَانَكُمْ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ آيَاتِهِ لَعَلَّكُمْ تَشْكُرُونَ﴾

“Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten Masākīn (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days. That is the expiation for the oaths when you have sworn. And protect your oaths (i.e., do not swear much). Thus Allāh makes clear to you His Ayāt (proofs, evidences, verses, lessons, signs, revelations, etc.) that you may be grateful.”^[1]

In this Verse, Allah, Most Glorified explained the atonement for an oath. He, the Almighty, the All-Powerful has explained that fasting is only the right of a person who is unable to feed or clothe the poor or free a slave. Some of the scholars have disagreed over the required amount of food for each poor person. The most correct opinion is that it is half a *Sa'* of any kind of food a man feeds to his family, such as rice, dates or anything else. The amount of it in weight is approximately one and a half kilograms. If he fed ten poor, lunch or dinner, or clothed them in garments suitable for prayer, that would be sufficient. If he freed a believing slave — whether male or female — that would be sufficient. And if he was unable to do all of these things, he should fast for three consecutive days.

^[1] *Al-Ma'idah* 5:89.

And Allah is the Granter of success.

Ibn Baz

If a Number of Oaths Were Made, is One Atonement Sufficient?

Q If a person swore more than once, must he make the atonement for an oath once, or must he atone for each oath?

A If the oath was about different deeds, then he must atone for each oath he did not fulfill. But if the oaths were for the same deed, then he must atone once, since it is one deed.

Ibn Baz

The Ruling on Repeated Oaths to do One Thing

Q I am a young man who swore by Allah more than three times to repent from a forbidden deed; my question is: Must I atone once or three times? And what is my atonement?

A You must atone once. That is to feed ten poor persons or clothe them, or to free a slave. Whoever is unable to do these things must fast for three consecutive days, according to the Words of Allah, Most High:

﴿لَا يُؤْخَذُكُمُ اللَّهُ بِاللَّعْنَةِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤْخَذُكُمْ بِمَا عَقَدْتُمُ الْأَيْمَانَ فَكَفَرْتُمْ
إِطْعَامُ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تَطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ
رَقَبَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ ذَلِكَ كَفَرَةُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ وَاحْفَظُوا
أَيْمَانَكُمْ﴾

"Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten Masākīn (poor persons), on a scale of the average of that with which you feed your own

families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days. That is the expiation for the oaths when you have sworn. And protect your oaths (i.e., do not swear much).^[1]

Likewise, every oath to do one deed or to stop doing one thing, even if it was repeated, there is no atonement except one, if he has not atoned for the first of them. If he has atoned for the first of them then repeated the oath, then he must make another atonement, if he broke it and likewise, if he repeated it a third time, and he had already atoned for the second, then he must atone for the third.

However, if he made repeated oaths about a number of deeds, or to abandon a number of deeds, then he must atone for every oath. Such as if he said: "By Allah, I will not speak to so-and-so, by Allah, I will not eat his food, by Allah, I will not travel to such-and-such a place," or he said: "By Allah, I will speak to so-and-so, by Allah, I will beat him," and the like.

Feeding the poor requires giving each one of them half of a *Sa'* of the staple food of the country. That is approximately one and a half kilograms. And if clothing them, it is necessary to clothe them with garments suitable for prayer, such as a long shirt, or a waist wrap and an upper wrap. If he gave them dinner or lunch, it would be sufficient, according to the general meaning of above-mentioned Noble Verse.

And Allah is the Granter of success.

Ibn Baz

How do We Atone for a Number of Oaths, if We do not Know How Many They are?



Previously, I used to swear oaths that I would do such-and-such and I would not implement them. Now I wish

^[1] *Al-Ma'idah* 5:89.

to make atonement for this. Is it sufficient for me to atone once, bearing in mind that I swore many times, but I do not remember how many times?



Try to assess the approximate number of oaths you swore about and then broke, then atone for their approximate number, if they were oaths upon different matters. For one who swore about one thing, such as: "By Allah, I will not visit Zaid, by Allah, I will not visit Zaid," then the atonement is one.

The Permanent Committee

The Ruling on Spending on *Mujahidin* as Atonement for an Oath



I atoned for an oath by paying 100 Riyals into the account for helping the Afghan *Mujahidin*. Is this sufficient instead of feeding ten poor persons. Deliver a legal verdict for us, may Allah reward you with goodness.



It is not sufficient to pay the above-mentioned amount as atonement for an oath. This contradicts the evidence in the Words of Allah, the Almighty, the All-Powerful:

﴿لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَّدْتُمُ الْأَيْمَانَ فَكَفَّرتُہُ
إِطْعَامَ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ أَوْ كَسَوْتُهُمْ أَوْ تَحْرِيرُ
رَقَبَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ ذَلِكَ كَفَرَةُ أَيْمَانِكُمْ إِذَا حَلَفْتُمْ﴾

"Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten Masākīn (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days. That is the expiation for the oaths when you have sworn."^[1]

^[1] Al-Ma'idah 5:89.

And Allah is the Granter of success.

Ibn Baz

The Ruling on Making the Atonement for an Oath as Money

Q My mother must make atonement for an oath. May I pay the value of food for ten poor persons in Saudi Riyals to a charitable organization on her behalf? And what is the value of the food (for ten poor persons), if it is correct to pay it in Saudi Riyals? Advise us and may Allah reward you.

A If your mother is dead, or she is alive, and she has permitted you to make the atonement for her, then there is no sin upon you in making the atonement for her. But the atonement is food, not money. This is what has been mentioned in the Noble Qur'an and the purified Sunnah. This requires giving half a *Sa'* of the staple food of the country, such as dates, or wheat or anything else. And the amount is approximately one and a half kilograms. If you fed them lunch or dinner, or clothed them with garments suitable for prayer, that would be sufficient — that is a long shirt or a waist wrap and an upper wrap.

Ibn Baz

The Ruling on One Who Swore by Allah to a Lie and What is Incumbent Upon Him

Q A person says: "If I swore an oath by Allah over some insignificant thing, due to only hastiness and anger, and the oath was not true, and I did not intend the oath, am I considered a sinner or not? And what am I obliged to do after that?"

A If you knew or believed it was most likely that you were telling the truth when you swore the oath, then later it became clear to you that you were not speaking the truth, there

is no sin upon you, nor any atonement required, according to the Words of Allah, Most High:

﴿لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ﴾

"Allāh will not punish you for what is unintentional in your oaths,"^[1]

But if you knew or believed it was most likely that you were not speaking the truth when you swore the oath, then you are a sinner, and you must make atonement for an oath, according to the correct opinion. Likewise, if you were in doubt about the thing you swore when you did so, according to the Words of Allah, Most High:

﴿لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا كَسَبَتْ قُلُوبُكُمْ﴾

"Allāh will not call you to account for that which is unintentional in your oaths, but He will call you to account for that which your hearts have earned."^[2]

One who intentionally swears to a false oath is among those whose hearts have earned. And His Words:

﴿لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَّدْتُمُ الْأَيْمَانَ﴾

"Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths;"^[3]

And one who intentionally swears to a false oath is among those who swear deliberate oaths. And according to the Words of Allah, Most High:

﴿وَاحْفَظُوا أَيْمَانَكُمْ﴾

"And protect your oaths (i.e. do not swear much)."^[4]

And one who intentionally swears to a false oath has abused the

^[1] Al-Ma'idah 5:89.

^[2] Al-Baqarah 2:225.

^[3] Al-Ma'idah 5:89.

^[4] Al-Ma'idah 5:89.

oath and not kept it. In the *Hadith* narrated by ‘Abdullah bin ‘Amr, may Allah be pleased with them, he said: “A Bedouin came to the Prophet ﷺ and said: “O Messenger of Allah! What are the major sins?” Among them, the Prophet ﷺ mentioned the false oath.

But if you did not mean to swear an oath and your heart did not intend it, rather it only passed your lips without meaning it, then there is no sin upon you, nor an atonement required, according to the generality of the Words of Allah, Most High:

﴿لَا يُؤْخَذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ﴾

“Allāh will not punish you for what is unintentional in your oaths,”^[1]

It is desirable for the Muslim to keep an oath to Allah and not to be hasty in swearing by Him, nor to swear much by Him. He must protect his tongue from lying and he must control himself when he is angry, and turn to Allah in repentance for his sins.

And may peace and blessings be upon our Prophet, Muhammad, and upon his family and Companions.

The Permanent Committee

The Ruling on One Who Swore Upon a Copy of the Qur’ān to a Lie

Q A person swore upon a copy of the Qur’ān to a lie during the days of his childhood, i.e., he was fifteen years of age. But he regretted that after he had reached the age of maturity and he knew that this is forbidden by the Islamic Law. Is there any sin or atonement upon him?

A This question consists of two issues; the first issue is swearing on a copy of the Qur’ān, in order to confirm the oath; and I know of no basis in the Sunnah for this formula, so it

^[1] *Al-Ma’idah* 5:89.

is not lawful.

As for the second issue, it is that he swore to a lie and he knew that, and this is a great sin for which he must turn in repentance to Allah. Indeed, some of the scholars say that this is a false oath, which submerges the perpetrator into itself, and then he will be submerged in the Fire.

If this oath was made after he reached the age of maturity, then he will be considered a sinner and he must repent to Allah. There is no atonement upon him, because atonement is only for oaths about things in the future. As for oaths about things in the past, there is no atonement for them. Rather a person is either being sinful therein or not sinful. So if he swore to a lie and he knew that it was a lie, then he is a sinner, and if he swore to something which he knew, or believed was most likely the truth, then he is not guilty of sin.

Ibn 'Uthaimin

The Chapter on Vows

The Ruling on Making Vows in Islam

Q What is the ruling on making vows in Islam, since some people persist in them, following the customs of their fathers and there forefathers. They sacrifice an animal and they say that it is upon the intention of Muhammad ﷺ. Bearing in mind that they make these vows at certain specific times in the year and most of them do it in the blessed month of Ramadhan. What is the ruling on this in Islam, is it permissible or not?



Vowing acts which bring one closer to Allah, such as slaughter, supererogatory prayers, optional fasts and such like are acts of worship, so whoever vowed them to Allah must implement them, according to the Words of Allah, Most High:

﴿وَمَا أَنْفَقْتُمْ مِّنْ نَّفَقَةٍ أَوْ نَذَرْتُمْ مِّنْ نَّذْرٍ فَإِنَّ اللَّهَ يَعْلَمُ﴾

“And whatever you spend for spendings (e.g., in Sadaqah — charity for Allāh’s Cause) or whatever vow you make, be sure Allāh knows it all.”^[1]

And His Words:

﴿يُؤْفُونَ بِالَّذِ

“They (are those who) fulfil (their) vows,”^[2]

So Allah, Most Glorified has praised those who fulfill their oaths. And according to the saying of the Prophet ﷺ:

«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِعهُ»

“Whoever made a vow to obey Allah should obey Him.”^[3]

Whoever made a vow to other than Allah, such as a Prophet, an angel or a *Wali*, then he has committed an act of *Shirk* by directing an act of drawing closer, or an act of worship, to other than Allah. He must turn in repentance to Allah and seek forgiveness for the *Shirk* he committed.

Secondly, slaughtering for the Messenger ﷺ or any other created being in order to draw closer to him, or to glorify him, is an act of *Shirk* since it involves performing an act of worship for other than Allah, which necessitates repentance and seeking forgiveness.

The Permanent Committee

The Ruling on Changing the Direction of the Vow

Q Is it allowed for a person to change the reason of a vow after fixing it when he discovers that there is another reason more deserving of the vow?



Before answering this question, I would like to introduce my remarks by saying that it is not fitting that a person

^[1] *Al-Baqarah* 2:270.

^[2] *Al-Insan* 76:7.

^[3] *Al-Bukhari* no. 6700.

should make a vow, because making vows is hated or forbidden, because the Prophet ﷺ prohibited them, saying:

«إِنَّهُ لَا يَأْتِي بِخَيْرٍ، وَإِنَّمَا يُسْتَخْرَجُ بِهِ مِنَ الْبَخِيلِ»

"No good comes of it; it is only a means by which something is removed from the miserly."^[1]

The good hoped for from a vow is not caused by the vow. Many people, if they become ill, make a vow that if Allah, Most High cures them, they will do such-and-such, or if they lose something, they vow that they will do such-and-such if they find it. Then if they are cured or find the thing which was lost, it does not mean that it was the vow which brought this about; rather this is from Allah, the Almighty, the All-Powerful — and Allah is more Generous than to require a condition about what was requested. So you should ask Allah, Most Glorified, Most High to cure this sick person or to bring this lost thing. As for the vow, there is no need for it and many of those who vow, if they get what they vowed for, are lazy about fulfilling the vow they made. They might even abandon it, and this is a great danger. Consider Allah's saying:

﴿وَمِنْهُمْ مَّنْ عٰهَدَ اللّٰهَ لَئِٓىۤ اٰتٰنَا مِنْ فَضْلِهٖۤ لَنَصَّدَّقَنَّ وَلَنَكُوْنُ مِنَ الصّٰلِحِيْنَ﴾ ﴿٧٥﴾ فَلَمَّآ اٰتٰهُمْ مِنْ فَضْلِهٖۤ بَخِلُوْا بِهٖۤ وَتَوَلَّوْا وَهُمْ مُّعْرِضُوْنَ ﴿٧٦﴾ فَاَعْقَبَهُمْ نِفَاقًا فِىۤ قُلُوْبِهِمْ اِلٰى يَوْمٍ يَلْقَوْنَہُمْ بِمَا اَخْلَفُوْا اللّٰهَ مَا وَعَدُوْهُ وَبِمَا كَانُوْا يَكْذِبُوْنَ ﴿٧٧﴾

And of them are some who made a covenant with Allāh (saying): "If He bestowed on us of His bounty, we will verily, give Sadaqah (Zakāt and voluntary charity in Allāh's Cause) and will be certainly among those who are righteous." Then when He gave them of His bounty, they became niggardly [refused to pay the Sadaqah (Zakāt or voluntary charity)], and turned away, averse. So He punished them by putting hypocrisy into their

^[1] Al-Bukhari no. 6608 and Muslim no. 1639.

hearts till the Day whereon they shall meet Him, because they broke that (covenant with Allāh) which they had promised to Him and because they used to tell lies.^[1]

Based upon this, it is not fitting that a believer should make a vow.

As for the answer to this question, we say: If a person vowed to do something in a certain situation, then he found something better than it, more pleasing to Allah, and more beneficial to the creatures of Allah, then there is no sin on him if he changes the reason of the vow for the thing that is better. The evidence for this is that a man came to the Prophet ﷺ and said: "O Messenger of Allah! I vowed that if Allah liberated Makkah for you, I would pray in Bait Al-Maqdis."

He ﷺ said:

«صَلِّ هَاهُنَا»

"Pray here."

Then the man repeated his statement and he ﷺ said:

«صَلِّ هَاهُنَا»

"Pray here."

The man repeated it again and he ﷺ said:

«شَأْنُكَ إِذْنٌ»

"Then do as you wish."^[2]

This proves that if a person changed his preferred vow to something which is better, then it is permissible.

Ibn 'Uthaimin

[1] At-Tawbah 9:75-77.

[2] Abu Dawud no.3305, Ahmad 3/363 and Al-Baihaqi no. 10/82.

Is it Permissible for One to Eat from what He has Dedicated?



If a man makes a vow and fulfills it, may he eat from it or not?



The basic principle is that the thing which was dedicated in the vow — if it was something lawful — should be distributed in the area specified by the one who made the vow. If he did not specify any area, then it is a charity which may be disbursed wherever charities are disbursed, such as among the poor and needy. As for eating from it, if the custom in the country of the one who took the vow is that when a person dedicates something he may eat from it himself, then it is permissible for him to eat from it in accordance with tradition and custom in the matter. Likewise, if he made the intention to eat from it and the custom is particular to the part from which he eats, then it is not included in the thing which was dedicated. The Committee has issued a legal verdict on this, the text of which is:

The disbursement of the vow must be in accordance with the intention of the one who made the oath, within the limits of the purified Islamic Law. If he intended that the meat which he dedicated be given to the poor, then it is not permissible for him to eat from it. But if he intended by his vow that his family or his companions — of whom he is one — eat from it, then it is permissible for him, as one of them, according to the saying of the Prophet ﷺ:

«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ وَإِنَّمَا لِكُلِّ امْرِئٍ مَّا نَوَىٰ»

“Deeds are according to intentions and every person shall have what he intended.”^[1]

Likewise if he made it a condition in his oath or that was the

^[1] Al-Bukhari no. 1 and Muslim no. 1907.

custom in his country.

The Permanent Committee

It is Hated to Make Vows, But it is Obligatory to Fulfill Them

Q What is the ruling of the Islamic Law on swearing vows? And is there any punishment for not fulfilling a vow? And is it permissible to transfer the value of the thing which was dedicated to a share in some charitable work?



The ruling of the Islamic Law on making vows is that it is hated, for it has been confirmed that the Prophet ﷺ said:

«إِنَّهُ لَا يَأْتِي بِخَيْرٍ، وَإِنَّمَا يُسْتَخْرَجُ بِهِ مِنَ الْبَخِيلِ»

“No good comes of it; it is only a means by which something is removed from the miserly.”^[1]

This is because some people, when they become ill, or lose something or are harmed in some way, vow to give charity or to slaughter an animal or give money if the illness, loss or harm is removed from them. They believe that Allah does not cure them or profit them unless they make this vow. The Prophet ﷺ has informed us that Allah does not change anything He has predetermined or ordained, but he i.e. the one who makes the vow, is a miser, and would not spend (in charity) except after making a vow.

It is obligatory to fulfill a vow if it is an act of worship, such as a vow to offer a prayer, or to fast, or to give charity or to perform *I'tikaf*. But it is not permissible if the vow was to commit a sin, such as killing, illegal sexual intercourse, drinking wine, unjustly taking the wealth of another or the like. He must make atonement for an oath, which is to feed ten poor persons etc.

And if the vow was to do something which is merely allowed,

^[1] Al-Bukhari no. 6608 and Muslim no. 1639.

such as eating, drinking, wearing clothes, normal speech or the like, he may choose between fulfilling the vow and making the atonement for an unfulfilled oath.

If he vowed in obedience to Allah to distribute something to the poor and the oppressed, such as food or the meat of a slaughtered sheep or the like, then he must distribute it to the poor and the oppressed. If it was a good deed — whether a physical act or a financial one, such as *Jihad* or *Hajj* and *‘Umrah* — then he must fulfill it; and if he declared it to be for a specific thing, such as the mosques, or books, or charitable works, he must keep it for them, and it is not permissible for him to disburse it for something other than that which he specified.

Ibn Jibreen

The Ruling on Making a Vow to Other Than Allah and is it *Shirk* or Not?



1. What is the ruling on making a vow to other than Allah?



1. Making a vow to other than Allah is *Shirk*, since it includes glorifying the one to whom the oath is made and it is a form of drawing closer to him. And, because fulfilling it is an act of worship if the thing sworn to is an act of obedience, and worship must be for Allah Alone according to many evidences, such as the Words of Allah, Most High:

﴿وَمَا أَرْسَلْنَا مِنْ قَبْلِكَ مِنْ رَسُولٍ إِلَّا نُوحِيَ إِلَيْهِ أَنَّهُ لَا إِلَهَ إِلَّا أَنَا فَاعْبُدُونِ﴾

“And We did not send any Messenger before you (O Muhammad ﷺ) but We revealed to him (saying): *Lā ilāha illa Ana* [none has the right to be worshipped but I (Allāh)], so worship Me (Alone and none else).”^[1]

Therefore dedicating it to other than Allah is an act of *Shirk*.

^[1] *Al-Anbiya’* 21:25.

Q 2. Regarding making a vow to other than Allah, there are a group of people who say: No vow should be made to other than Allah, Most High and a vow to other than Allah, Most High is *Shirk* and disbelief, because it is an act of worship and worship to other than Him, Most High is an act of disbelief. Another group says: Making a vow to them (i.e., those other than Allah) is a righteous deed for which reward and recompense are given. What is the truth in this matter?

A 2. Making a vow is a form of worship, which is the right of Allah, Alone and it is not permissible to dedicate any act of worship to other than Him. Whoever vows to other than Him has dedicated an act of worship — which is the right of Allah, Most High — to the one to whom he made the vow. Anyone who dedicates any type of worship, such as a vow, sacrifice, or anything else to other than Allah, is considered to have associated a deity other than Allah with Allah, and is included in the generality of the Words of Allāh, Most Glorified:

﴿إِنَّهُم مِّنْ دُشْرِكَ بِاللَّهِ فَقَدْ حَرَّمَ اللَّهُ عَلَيْهِ الْجَنَّةَ وَمَأْوَاهُ النَّارُ وَمَا لِلظَّالِمِينَ مِنْ أَنْصَارٍ﴾

“Verily, whosoever sets up partners (in worship) with Allāh, then Allāh has forbidden Paradise to him, and the Fire will be his abode. And for the Zālimūn (polytheists and wrongdoers) there are no helpers.”^[1]

All of those among the legally accountable Muslims who believe that it is permissible to make vows and to slaughter to the inhabitants of the grave — this belief of his is major *Shirk* which removes him from the pale of Islam. The one who holds such a view must be called up to repent for three days, and relations with him must be severed. He either repents, or, if not, he must be killed.

As for his son taking something from his wealth with which to build his future and inheriting from him after his death in the

^[1] *Al-Ma'idah* 5:72.

same matter which was asked about, this depends upon knowledge of the true state of the father and the situation in which he died: If his father died upon this belief and it is not known that he repented, then he does not inherit him, according to the words of the Prophet ﷺ:

«لَا يَرِثُ الْمُسْلِمُ الْكَافِرَ وَلَا الْكَافِرُ الْمُسْلِمَ»

"The Muslim does not inherit from the disbeliever, nor does the disbeliever inherit from the Muslim."^[1]

It is permissible for his son to take from his wealth while he is alive as much as he likes to give him. Likewise, it is permissible for him to take what is reasonable for his needs from the wealth of his son without his knowledge, if he is poor and unable to attain the means which would alleviate his need of it, according to the *Hadith* of 'A'ishah, may Allah be pleased with her, in the story of Hind bint 'Utbah, may Allah be pleased with her, the wife of Abu Sufyan, may Allah be pleased with him. She complained to the Prophet ﷺ that Abu Sufyan, may Allah be pleased with him, did not give her enough for herself and her children and the Prophet ﷺ said:

«خُذِي مِنْ مَالِهِ بِالْمَعْرُوفِ مَا يَكْفِيكِ وَيَكْفِي بَنِيكَ»

"Take from his wealth according to what is reasonable to meet your needs and those of your children."^[2]

From this it is clear that the truth is with the first group, who said that it is not permissible to make a vow, except to Allah, Most High and that a vow to other than Allah, Most High is an act of disbelief and *Shirk*.


And Allah is the Granter of success. May peace be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

[1] Al-Bukhari no. 6764 and Muslim no. 1614.

[2] Al-Bukhari no. 5364 and Muslim no. 1714.

Making a Vow to Other Than Allah is *Shirk* and it is Invalid and Should not be Fulfilled and the Animal Consecrated is Dead Meat

 Making a vow to other than Allah is invalid and should not be fulfilled. So if a person dedicates a sheep to *Shaikh* Muhyi-ud-Din or ‘Abdul-Qadir Al-Jilani for example, to distribute its meat among the poor, and for the reward of it to reach the soul of the *Shaikh* and thereby for the one who makes the vow to receive blessings from the *Shaikh* — according to their belief — should such vows as these be fulfilled? And if they are not fulfilled, is it permissible to eat the meat of this sheep which was dedicated? And is this included in the meaning of Allah Most High’s Words:

﴿وَمَا أَهْلَ لَغَيْرِ اللَّهِ﴾

“and that on which Allāh’s Name has not been mentioned while slaughtering (that which has been slaughtered as a sacrifice for others than Allāh, or has been slaughtered for idols)”^[1]

Because the animal which was dedicated is a pure animal? And is this forbidden because of an invalid vow?



Firstly: A vow to Allah and slaughtering for Allah are acts of worship. It is not permissible to dedicate any of this to other than Him, Most Glorified, Most High. Whoever vows to other than Allah, or slaughters for other than Allah, then he has committed an act of associating partners with Allah (*Shirk*) by worshipping other than Him. This sin is greater and more serious if the one who vows or slaughters to the dead believes that he can benefit or harm, because to do so is to associate partners with Allah in Lordship along with the *Shirk* in worship.

Secondly: Vowing to other than Allah should not be fulfilled; indeed, it is invalid and whatever was dedicated to other than

^[1] *Al-Ma'idah* 5:3, 16:115.

Allah, such as permissible foods or an animal which is permissible to eat and which has not been slaughtered, then it belongs to its owner. If he slaughtered it for other than Allah, it becomes dead meat and it is forbidden for him or others to eat it and it is included in the generality of the above-mentioned Verse.

The Permanent Committee

He Vowed to Slaughter a Sheep, Then He Sold it

Q I vowed to slaughter an animal for Allah and I was in need of its value, so I sold it before slaughtering it. This was four years ago. Now I want to fulfill my vow, so may I buy a sacrificial animal for the same price as the first animal?

A Regarding this sheep which you vowed to slaughter to Allah, the Almighty, the All-Powerful, if your vow was to do an act of obedience, then it is an obligation on you to fulfill it. You specified this sheep for slaughter, so selling it afterwards was a mistake on your part and something forbidden to you, so you must now replace it with a similar animal, or one which is better than it. You must also turn in repentance to Allah, Most Glorified, Most High for what you have done, and slaughter its replacement in order to draw nearer to Allah, the Almighty, the All-Powerful and distribute it among the poor, since you intended it as charity for the sake of Allah, Most High. And let the animal you slaughter be like the one which you vowed to slaughter, or better than it.

Ibn 'Uthaimin

The Ruling on One Who Made a Vow and Did not Fulfill it

Q If a person swore, saying: "I make an oath to Allah that I will do such-and-such," or he says: "I make a vow to Allah that I will do such-and-such," then he breaks it and

does not fulfill this oath, what is the ruling on that?



Before replying, I would like to draw my brothers' attention to the fact that the vows which they insist on making are hated, because the Prophet ﷺ prohibited it, saying:

«إِنَّهُ لَا يَأْتِي بِخَيْرٍ، وَإِنَّمَا يُسْتَخْرَجُ بِهِ مِنَ الْبَخِيلِ»

"No good comes of it; it is only a means by which something is removed from the miserly."^[1]

Some of the scholars have even said that making vows is forbidden, because a person obliges himself to do something that is not obligatory, and so he places a burden on himself. He might also delay fulfilling it, leaving himself open to a great punishment as Allah, Most High has mentioned. He has indicated a dislike for vows, and of a person obliging himself by the like, saying:

«وَأَقْسَمُوا بِاللَّهِ جَهْدَ أَيْمَانِهِمْ لَئِنْ أَمَرْتَهُمْ لَيَخْرُجُنَّ قُلْ لَا تُقْسِمُوا طَاعَةٌ مَعْرُوفَةٌ»

"They swear by Allāh their strongest oaths that if only you would order them, they would leave (their homes for fighting in Allāh's Cause). Say: 'Swear you not; (this) obedience (of yours) is known (to be false).'"^[2]

Also, we are always hearing from people who made vows dependent upon a certain condition, such as by saying: "If Allah cured some sick person, then I must fast for Him such-and-such," or: "give such-and-such in charity," and other such sayings. And in this, as I have indicated above, there is the danger that a person will leave himself open to this great punishment.

When a person is put to trial and he vows to do something, if the vow is to perform some act of obedience, he is obliged to fulfill it. It is not permissible for him to forsake it, according to

^[1] Al-Bukhari no. 6608 and Muslim no. 1639.

^[2] An-Nur 24:53.

the words of the Prophet ﷺ:

«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِعهُ»

"Whoever vowed to obey Allah, he should obey Him."^[1]

There is no difference between a vow to perform an obligatory act of obedience, such as when a person says for example: "I vow to Allah that I will pay my *Zakah*," — and a vow to perform a preferred act of obedience, such as when he says: "I vow to Allah to pray two *Rak'ahs*." And there is no difference between the vow being general and unconditional and it being dependant upon to a certain condition.

In any case, every vow to perform an act of obedience must be fulfilled and it is not permissible for a person to forsake it and to atone for it, and if he did so, he would be a sinner. But if the vow was to commit an act of disobedience, then it is not permissible to fulfill it, according to the words of the Prophet ﷺ:

«وَمَنْ نَذَرَ أَنْ يَعْصِيَ اللَّهَ فَلَا يَعْصِهِ»

"Whoever vowed to disobey Allah should not disobey Him."^[2]

But he is obliged to atone for an unfulfilled oath, according to the saying of the Prophet ﷺ:

«كَفَّارَةُ النَّذْرِ إِذَا لَمْ يُسَمَّ كَفَّارَةُ يَمِينٍ»

"The atonement for a vow, if he did not mention Allah's Name, is the same as the atonement for an oath."^[3]

This is general, so for every vow you do not fulfill, you must make the atonement for an oath. Based upon this, the rule is that it is an obligation upon the questioner to make the atonement for an oath.

Ibn 'Uthaimin

[1] Al-Bukhari no. 6700.

[2] Al-Bukhari no. 6700 and Abu Dawud no. 3289.

[3] Abu Dawud no. 3322 and Tirmithi no. 1528.

Fulfilling an Oath in Accordance With the Intention

Q I took an oath that if Allah gave me a sum of money from His Bounty due to my hard work and striving, then I would set aside a sum from what He had given me to build a congregational mosque. When I made the vow I assigned a sum in my mind which I thought was sufficient for building the mosque. The years and days passed and Allah made my ambition a reality. I wanted to fulfill my vow. But the sum which I previously expected would be enough for the purpose of building the mosque in the currency of my country had become devalued and was no longer sufficient to build a mosque. The sum I assigned would surely not be enough to furnish a congregational mosque nor to build one, due to the devaluation of the currency. I am thinking that I should give this sum of money in charity to the needy, the poor and the indigent among my relatives or others, or to give it to a charitable organization for the building of a mosque which has not yet been completed. Is this permissible? Benefit me (with advice) and may Allah benefit you (with a reward).



It is an obligation upon you to fulfill the oath by building a mosque, according to your ability. If you wished to build a congregational mosque in which the Friday prayer is held, you must do that, according to the words of the Prophet ﷺ:

«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِيعْهُ وَمَنْ نَذَرَ أَنْ يَعْصِيَ اللَّهَ فَلَا يَعْصِهِ»

“Whoever vowed to obey Allah, he should obey Him and whoever vowed to disobey Allah, he should not disobey Him.”^[1]

You must strive hard until you are able to fulfill your vow in full. But if you intended a specific sum of money by your vow, then you are not obliged to do anything except this, according to the words of the Prophet ﷺ:

^[1] Al-Bukhari no. 6700 and Abu Dawud no. 3289.

«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ وَإِنَّمَا لِكُلِّ امْرِئٍ مَا نَوَى»

“Deeds are according to intentions and every person shall have what he intended.”^[1]

If you could not build a mosque with it, then share with others in building a mosque, in accordance with the Words of Allah, Most High:

﴿فَأَقِمْ وَجْهَكَ لِلدِّينِ مَا اسْتَطَعْتَ﴾

“So keep your duty to Allāh and fear Him as much as you can,”^[2]

May Allah make matters easy for you and allow you to meet your obligations.

Ibn Baz

A Vow Does not Prevent Anything that Has Been Decreed by Allah

Q My wife vowed to herself that she would fast for six days every month if her son graduated from primary school, and he did so about a year ago. She started to fast from that date, but now she regrets it and feels burdened, due to the fact that she is busy with bringing up her children, and her domestic affairs, especially during the summer. So what is the view of Your Eminence regarding this vow? Should she continue to fast, or seek forgiveness from Allah and repent to Him, bearing in mind that she vowed to fast for six days every month for the term of her life?



She must fulfill her vow, according to the words of the Prophet ﷺ:

«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِيعْهُ وَمَنْ نَذَرَ أَنْ يَعْصِيَ اللَّهَ فَلَا يَعْصِهِ»

^[1] Al-Bukhari no. 1 Muslim no. 1907.

^[2] At-Taghabun 64:16.

"Whoever vowed to obey Allah, he should obey Him and whoever vowed to disobey Allah, he should not disobey Him."^[1]

And Allah, Most Glorified has praised those who fulfill their vows in His Words:

﴿يُؤْفُونَ بِالَّذِى وَعَاوَنَ يَوْمَآ كَانَ شَرُّهُ مُسْتَطِيراً﴾ (٧)

"They (are those who) fulfil (their) vows, and they fear a Day whose evil will be wide-spreading."^[2]

There is no sin upon her if she fasts them separately, if she did not make the intention to fast them consecutively. But if she made the intention to fast them consecutively, she must fast them consecutively.

We ask Allah to help her in that and to magnify her reward. We advise her and other Muslims not to practice making vows, in accordance with the words of the Prophet ﷺ:

«لَا تَذَرُوا فَإِنَّ النَّذَرَ لَا يُغْنِي مِنَ الْقَدَرِ شَيْئًا، وَإِنَّمَا يُسْتَخْرَجُ بِهِ مِنَ الْبَخِيلِ»

"Do not make vows, because a vow does not prevent anything of Allah's Predestination being implemented, it is only a means of extracting something from the miserly."^[3]

And Allah is the Granter of success.

Ibn Baz

It is Obligatory to Fulfill a Vow as it is

Q I vowed to Allah, Most High that if He cured my sick daughter, I would slaughter a sheep for Allah's sake. Now she has been cured, all praise and thanks be to Allah. Is it permissible for me to give charity for the value of the sheep

[1] Al-Bukhari no. 6700 and Abu Dawud no. 3289.

[2] *Al-Insan* 76:7.

[3] Muslim no. 1640, At-Tirmithi no. 1538 and Al-Bukhari no. 6608.

or not, because the poor man prefers money to meat? Benefit me (with advice) and may Allah benefit you (with a reward).



It is an obligation upon you to fulfill your vow. So you must slaughter the sheep as you vowed to, and give it as charity to the poor, in order to draw closer to Allah, Most High, and in obedience to Him to fulfill your vow. This is in accordance with the saying of the Prophet ﷺ:

«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِيعْهُ وَمَنْ نَذَرَ أَنْ يَعْصِيَ اللَّهَ فَلَا يَعْصِهِ»

"Whoever vowed to obey Allah, he should obey Him and whoever vowed to disobey Allah, he should not disobey Him."^[1]

Narrated by Imam Al-Bukhari in his *Sahih*, on the authority of the Mother of the Believers, 'A'ishah, may Allah be pleased with her.

It is not sufficient for you to give charity for the value of it; rather, you must slaughter a sheep as you vowed to do. If you intended for you and your family to eat from it, or to invite your neighbors and your relatives to eat it, you may do as you intended. It is not necessary to distribute it among the poor, according to the words of the Prophet ﷺ:

«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ وَإِنَّمَا لِكُلِّ امْرِئٍ مَا نَوَى»

"Deeds are according to intentions and every person shall have what he intended."^[2]

We advise you not to make a vow again, in accordance with the saying of the Prophet ﷺ:

«لَا تَنْذَرُوا فَإِنَّ النَّذْرَ لَا يُغْنِي مِنَ الْقَدَرِ شَيْئًا، وَإِنَّمَا يُسْتَخْرَجُ بِهِ مِنَ الْبَخِيلِ»

"Do not make vows, because a vow does not prevent anything of Allah's Predestination being implemented, it is only a means of extracting something from the miserly."^[3]

[1] Al-Bukhari no. 6700 Abu Dawud no. 3289.

[2] Al-Bukhari no.1 Muslim no. 1907.

[3] Muslim no. 1640 At-Tirmithi no. 1538 and Al-Bukhari no. 6608.

(Agreed upon, on the authority of ‘Abdullah bin ‘Umar bin Al-Khattab, may Allah be pleased with them)

Ibn Baz

A Conditional Vow

Q I vowed to fast a day for my sick brother, then circumstances prevented that, until my brother died. Should I fast this day after his death? And should I fast one day or two days? Also, I visited the grave of my deceased brother twice, does Islam allow me to do this? And is it true that the dead are aware of the visits of the living to them?

A If your vow was to fast for a day, on condition that Allah cured your sick brother, but he died without being cured, there is no need for you to fast it — and this is what is apparent from the questioner’s query. It is permissible for you to visit the grave of your deceased brother once, twice or more. This does not mean that you visit him always, because this is not lawful, but you may visit him and supplicate Allah for him occasionally.

As for him knowing who visits him, it has been reported from the Prophet ﷺ that:

«مَا مِنْ رَجُلٍ مُسْلِمٍ عَلَى أَخِيهِ الَّذِي كَانَ يَعْرِفُهُ فِي الدُّنْيَا إِلَّا رَدَّ اللَّهُ عَلَيْهِ رُوحَهُ فَرَدَّ عَلَيْهِ السَّلَامُ»

“There is no Muslim man who delivers salutations to his deceased brother who knew him in the life of this world, except that Allah returns his soul to him and he answers the salutations”^[1].

This *Hadith* was authenticated by Ibn ‘Abdul-Barr and Ibn Al-Qayyim transmitted it from him in his book: *Ar-Ruh* and he confirmed it.

But you must know that visiting the graves is for the benefit of the dead, and for the living to take warning, and not so that a

^[1] Dha‘iful- Jama‘ as-Saghir no. 5208.

person may supplicate to the dead. This is because supplicating to other than Allah is major *Shirk* which removes a person from the pale of Islam. The purpose of it is not for a person to be intent on supplicating next to them either, because supplication in the mosque is better than supplication there; indeed, making the intention to supplicate at the graves is an innovation and it could even lead to *Shirk*.

Ibn 'Uthaimin

You Must Fulfill Your Oath

Q I helped one of my sisters get married, and she had three children. She was constantly at odds with her husband. She was also in disagreement with her father, the cause of which was her husband, who used to treat her in an extremely harsh manner, which forced her to leave the house and go to her divorced mother's house who was now married to another man. Her mother's husband (the second one) treated her in a bad way. So I, her brother, took an apartment for her to live in with me and she used to go often to her mother's house. One time, her mother's husband forced her to discard her children with her husband and so she did it to please her mother. One day, a disagreement took place between her and her mother's husband and she went to her apartment while she was very upset about what had happened and because of the absence of her children. She went there and took some tablets from the refrigerator and swallowed them all, wishing to end her life. So I took her to the hospital and she was given the necessary treatment. Before she died, she sensed that she was in her final days and she repented and asked forgiveness for what she had done. She asked us to supplicate for her forgiveness, and Allah's Will was implemented, and she died. What is her situation after that? And is it permissible for me to give charity and to perform *Hajj* on her behalf, bearing in mind that I vowed to

perform these deeds for the rest of my life, if Allah wills?

A As long as this sister of yours turned to Allah, Most Glorified in repentance and regretted the actions she had taken which caused her death, then it is hoped that she will be forgiven. Repentance cancels what passed before it, and the one who repents from a sin is like the one who has no sin, as is proven by the authentic *Hadiths* from the Prophet ﷺ.

If you gave charity on her behalf or asked forgiveness for her and supplicated for her, that would be good and it would benefit her and you would be rewarded for it.

You must fulfill the acts of obedience you vowed to perform. Allah, Most Glorified praised those who fulfill their vows in His Words:

﴿يُؤْتُونَ بِالْذِّكْرِ وَيَحْفَظُونَ يَوْمًا كَانَ شَرُّهُ مُسْتَطِيرًا﴾

"They (are those who) fulfil (their) vows, and they fear a Day whose evil will be wide-spreading."^[1]

The Prophet ﷺ said:

«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِيعْهُ وَمَنْ نَذَرَ أَنْ يَعْصِيَ اللَّهَ فَلَا يَعْصِهِ»

"Whoever vowed to obey Allah, he should obey Him and whoever vowed to disobey Allah, he should not disobey Him."^[2]

And Allah is the Granter of success.

Ibn Baz

The Ruling on Giving Charity Equal to the Value of the Vow

Q I vowed to dig a well in Allah's Cause, but I was not successful. Now I wish to change my intention to give in charity what I vowed to give in Allah's Cause. Would I (in

^[1] *Al-Insan* 76:7.

^[2] *Al-Bukhari* no. 6700 and *Abu Dawud* no. 3289.

that case) have fulfilled my vow or not?



A vow must be fulfilled — if it is an act of obedience to Allah, and if the one who makes the vow has the ability to fulfill his vow. Allah, Most High commanded the fulfillment of vows, and He will grant rewards for that. He Most High says:

﴿ثُمَّ لْيَقْضُوا تَفَثَهُمْ وَلْيُوفُوا نُذُورَهُمْ﴾

“Then let them complete their prescribed duties (Manāsik of Hajj) and perform their vows, and circumambulate the Ancient House (the Ka’bah at Makkah).”^[1]

He also says:

﴿يُوفُونَ بِالنَّذْرِ﴾

“They (are those who) fulfil (their) vows.”^[2]

And, the Prophet ﷺ said:

«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِيعْهُ، وَمَنْ نَذَرَ أَنْ يَعْصِيَ اللَّهَ فَلَا يَعْصِهِ»

“Whoever vowed to obey Allah, he should obey Him and whoever vowed to disobey Allah, he should not disobey Him.”^[3]

So this man is obliged to fulfill his vow by digging the well as he vowed, and it must be dedicated for the Muslims’ use. If he is unable to do so, or he does not find a suitable location, or, he is prevented by the government, the leaders or his relatives, it is permissible for him to renounce that and perform the nearest thing to it that he can. If he is unable to, he must give the value of the cost of digging the well and its accompanying expenses in charity. The charity should be for the *Mujahidin*, the indigent and those in need. And Allah knows better.

Ibn Jibreen

^[1] *Al-Hajj* 22:29.

^[2] *Al-Insan* 76:7.

^[3] *Al-Bukhari* no. 6700, *Abu Dawud* 6 no. 3289.

It is not Obligatory for One to Fulfill Vow He made to Himself

Q About a year ago, I was faced with a very difficult problem and I made a covenant with Allah, saying to myself: "If this problem ends, I will memorize the whole Qur'ān by heart." All praise and thanks be to Allah, the problem ended in the best possible way, so I began to memorize the Qur'ān, but I was unable to memorize more than two parts. I fear that I will not be able to memorize it after I vowed to Allah, the Almighty, the All-Powerful. My question is: Is there anything incumbent upon me if I was not able to memorize the whole Qur'ān, when I know that there is no religion for one who does not fulfill (his vows, oaths, promises etc.)?

A Since this covenant was made secretly to yourself, it is not given the ruling of an oath the fulfillment of which is an obligation. But we advise you try to complete the memorization of the Qur'ān as you began, devote all your efforts to it, recite it repeatedly, and designate sufficient time for it. Whoever strove earnestly will find what he seeks, and whoever sows will reap, and whoever trod the path will reach his destination.

And Allah is the Granter of success.

Ibn Jibreen

He Vowed to Sacrifice an Animal if He Passed an Exam and He Passed at the Second Session

Q I vowed one day before an examination to sacrifice an animal if I graduated from the sixth grade to the first grade of intermediate school. I passed during the second session, not the first session. Should I sacrifice an animal or not, as four years have passed since then and I have not fulfilled my vow — bearing in mind that I have made a

similar vow that if I graduated from the third grade of intermediate school to the first grade of secondary school?



If you uttered your vow and you did not intend success in the first session, then you must fulfill your vow and sacrifice an animal for Allah's sake and distribute it among the poor. Neither you nor your family should eat anything of it, according to the words of the Prophet ﷺ:

«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِيعْهُ وَمَنْ نَذَرَ أَنْ يَعْصِيَ اللَّهَ فَلَا يَعْصِهِ»

"Whoever vowed to obey Allah, he should obey Him and whoever vowed to disobey Allah, he should not disobey Him."^[1]

Narrated by Al-Bukhari in his *Sahih*, from the *Hadith* of 'A'ishah, may Allah be pleased with her.

However, if by the vow you intended success in the first session and you did not pass until the second session, then there is no obligation upon you, according to the saying of the Prophet ﷺ:

«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ وَإِنَّمَا لِكُلِّ امْرِئٍ مِمَّا نَوَى»

"Deeds are purely according to intentions and every person shall have what he intended."^[2]

(Agreed upon from the *Hadith* of 'Umar bin Al-Khattab, may Allah be pleased with them.)

Likewise, you must fulfill your vow if you graduated from intermediate school to secondary school, according to the aforementioned *Hadith* of 'A'ishah, may Allah be pleased with her.

If you intended by the first or the second vow that you would slaughter the animal for your family and your relatives and neighbors, then you should do as you intended, according to the above-mentioned *Hadith* of 'Umar, may Allah be pleased with him. It is desirable that you do not make any more vows,

^[1] Al-Bukhari no. 6700 and Abu Dawud no. 3289.

^[2] Al-Bukhari no. 1 and Muslim no. 1907.

because a vow does not prevent anything of Allah's Decree from being implemented, and it is not the cause of success. And the Prophet ﷺ prohibited making vows, saying:

«إِنَّهُ لَا يَأْتِي بِخَيْرٍ وَإِنَّمَا يُسْتَخْرَجُ بِهِ مِنَ الْبَخِيلِ»

"No good comes of it; it is only a means by which something is removed from the miserly."^[1]

It has also been confirmed in the Two *Sahihs* from the *Hadith* of Ibn 'Umar, may Allah be pleased with them. We ask Allah for us and you that He guide us and grant us success.

Ibn Baz

I Slaughtered the Animal I Vowed to, Then I Ate From it

Q When I graduated from the second year to the third year of intermediate school, I vowed that I would slaughter a sheep if I passed — and I passed, all praise and thanks be to Allah, and I slaughtered the sheep. Is it permissible for me and my secondary family members to eat from it? If we ate from it, what is incumbent upon us, when I vowed it as charity for Allah's sake?

A This is a vow to give charity dependent upon something that has taken place. So it is obligatory to fulfill it, according to the words of the Prophet ﷺ:

«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِعهُ»

"Whoever vowed to obey Allah, he should obey Him and whoever vowed to disobey Allah, he should not disobey Him."^[2]

Since the questioner said that he vowed it as charity, it must be disbursed to those to whom it is permissible to give *Zakah*, that is, the poor and their like. The one who took the vow should not

[1] Al-Bukhari no. 6608 and Muslim no. 1639.

[2] Al-Bukhari no. 6700 and Abū Dawud no. 3289.

eat from it, nor should his immediate or secondary family, because they are not among those to whom *Zakah* money is disbursed, so they should not be given what was vowed.

If this person who took the vow has done so and eaten it along with his immediate and secondary family, then he should slaughter another animal in its place, like the previous animal or a better one — if the previous one was acceptable — and distribute it among the poor. Unless, it was his intention when he contracted the vow to eat it with his family, or he made a verbal condition, or if it is customary to do so, then he may do so.

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

She Vowed to Fast, Then She Was Unable to

Q A woman vowed to fast for a year if she gave birth safely. The newborn has been safe and sound for a period over one year. But she says that she is unable to fast.

A There is no doubt that a vow to perform an act of obedience is a form of worship and Allah, Most High has praised those who fulfill their vows, for He, Most High says:

﴿يُوفُونَ بِالنَّذْرِ وَيَخَافُونَ يَوْمًا كَانَ شَرُّهُ مُسْتَطِيرًا﴾

“They (are those who) fulfil (their) vows, and they fear a Day whose evil will be wide-spreading.”^[1]

And it has been confirmed from the Prophet ﷺ that he said:

«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِعهُ وَمَنْ نَذَرَ أَنْ يَعِصِيَ اللَّهَ فَلَا يَعِصِهِ»

“Whoever vowed to obey Allah, he should obey Him and whoever vowed to disobey Allah, he should not disobey Him.”^[2]

^[1] Al-Insan 76:7.

^[2] Al-Bukhari no. 6700 and Abu Dawud no. 3289.

A man vowed to slaughter a camel in Buwanah and went to the Prophet ﷺ. He ﷺ asked him:

«هَلْ كَانَ فِيهَا وَثْنٌ مِنْ أَوْثَانِ الْجَاهِلِيَّةِ يُعْبَدُ؟»

“Is there any idol from among the idols of the Jahiliyyah worshipped there?”

It was said to him: “No.” He then asked:

«هَلْ كَانَ فِيهَا عِيدٌ مِنْ أَعْيَادِهِمْ؟»

“And is there any festival from among the festivals of the Jahiliyyah celebrated there?”

It was said: “No.” So he said:

«أَوْفِ بِنَذْرِكَ فَإِنَّهُ لَا وَفَاءَ لِنَذْرِ فِي مَعْصِيَةِ اللَّهِ وَلَا فِيمَا لَا يَمْلِكُ ابْنُ آدَمَ»

“Then fulfill your vow, because there is no fulfillment of a vow to commit an act of disobedience to Allah nor in matters which are not in the hands of man.”^[1]

Since the questioner has mentioned that she vowed to fast for a year, and fasting for a whole year is a form of perpetual fasting, and fasting perpetually is hated — according to the authentic narration reported from the Prophet ﷺ, in which he said:

«مَنْ صَامَ الدَّهْرَ فَلَا صَامَ وَلَا أَفْطَرَ»

“Whoever fasted perpetually has neither fasted nor broken his fast.”^[2]

— and there is no doubt that a hated act of worship is an act of disobedience to Allah, then there is no need to fulfill the vow to do so.

Shaikh Al-Islam Ibn Taimiyyah — may Allah have mercy on him — said: “If he vowed to perform a hated act of worship, such as standing in prayer for the whole night, or fasting every day, it is

^[1] Abu Dawud no. 3313 and Al-Baihaqi no. 10/83.

^[2] Ahmad 4/26 and Muslim no. 1162.

not obligatory to fulfill this vow.”

Accordingly, it is an obligation upon the questioner to make atonement for an unfulfilled oath. That is to feed ten poor persons, giving each poor person half a *Sa'* of dates or some other staple food of the country. If she is unable to do so, she must fast for three consecutive days.

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on One Who Vowed to Sacrifice Beside Graves and Tombs

Q A person vowed to sacrifice a ewe at one of the tombs; is it obligatory for him to fulfill the vow, or should he sacrifice the ewe in any place?

A Sacrificing beside the graves is an innovation and a path leading to major *Shirk*. It is not permissible for one who makes a vow to slaughter beside a grave to fulfill that vow because his vow is a vow to commit an act of disobedience and a vow to commit an act of disobedience should not be fulfilled. This is based upon what has been confirmed from the Prophet ﷺ in *Sahih Al-Bukhari*, on the authority of 'A'ishah, may Allah be pleased with her, that the Messenger of Allah ﷺ said:

«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِيعْهُ وَمَنْ نَذَرَ أَنْ يَعِصِيَ اللَّهَ فَلَا يَعِصِهِ»

“Whoever vowed to obey Allah, he should obey Him and whoever vowed to disobey Allah, he should not disobey Him.”^[1]

And, according to the narration of Abu Dawud — may Allah have mercy on him — with an authentic chain of narrators, on the authority of Thabit bin Adh-Dhahhak, may Allah be pleased with him, who said: “A man vowed to slaughter a camel in

[1] Al-Bukhari no. 6700 and Abu Dawud no. 3289.

Buwanah. So he went to the Prophet ﷺ, who asked him:

«هَلْ كَانَ فِيهَا وَثَنٌ مِنْ أَوْثَانِ الْجَاهِلِيَّةِ يُعْبَدُ؟»

“Is there any idol from among the idols of the Jahiliyyah worshipped there?”

It was said to him: “No.” He then asked:

«هَلْ كَانَ فِيهَا عِيدٌ مِنْ أَعْيَادِهِمْ؟»

“And is there any festival from among the festivals of the Jahiliyyah celebrated there?”

It was said: “No.” So he said:

«أَوْفِ بِنَذْرِكَ فَإِنَّهُ لَا وَفَاءَ لِنَذْرِي مَعْصِيَةِ اللَّهِ وَلَا فِيمَا لَا يَمْلِكُ ابْنُ آدَمَ»

“Then fulfill your vow, because there is no fulfillment of a vow to commit an act of disobedience to Allah nor in matters which are not in the hands of man.”^[1]

However, if the sacrifice was for the inhabitant of the grave, then this is major *Shirk*, according to the Words of Allah, Most Glorified:

﴿قُلْ إِنْ صَلَاتِي وَنُسُكِي وَمَحْيَايَ وَمَمَاتِي لِلَّهِ رَبِّ الْعَالَمِينَ ۖ لَا شَرِيكَ لَهُ ۚ وَبِذَلِكَ أُمِرْتُ وَأَنَا أَوَّلُ الْمُسْلِمِينَ﴾

“Say (O Muhammad ﷺ): “Verily, my Salāt (prayer), my sacrifice, my living, and my dying are for Allāh, the Lord of the ‘Ālamīn (mankind, jinn and all that exists). “He has no partner. And of this I have been commanded, and I am the first of the Muslims.”^[2]

And, it has been authentically reported from the Prophet ﷺ that he cursed those who sacrifice to other than Allah, as was narrated by Muslim in his *Sahih*, from the *Hadith* of ‘Ali, may Allah be pleased with him.

The Permanent Committee

^[1] Abu Dawud no. 3313 and Al-Baihaqi no. 10/83.

^[2] *Al-An'am* 6:162-163.

The Ruling on One Who Made a Vow But Did not Fulfill it

Q A man was with a group and while joking with them he said about his one year old son: "If this boy lives, I will satisfy the appetites of the people of the area." The boy grew and became a man, yet he did not do anything. Now he is asking what is incumbent upon him, bearing in mind that the people of the area were few and now there are no inhabitants?



If the statement of the questioner was made by way of a vow, it is incumbent upon him to fulfill his vow by satisfying the hunger of all of his neighbors. In this case he must be sure that their number is not less than the number of inhabitants in the area at the time of the vow. This is because giving food is a way of drawing closer to Allah, Most High, and because the Prophet ﷺ said:

«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِعهُ»

"Whoever vowed to obey Allah, he should obey Him."^[1]

And Allah, Most High has praised those who fulfill their vows in His Words:

﴿يُؤْتُونَ بِالْذِّكْرِ وَيَحْفَظُونَ يَوْمًا كَانَ شَرُّهُ مُسْتَطِيرًا﴾

"They (are those who) fulfil (their) vows, and they fear a Day whose evil will be wide-spreading."^[2]

During the time of the Messenger of Allah ﷺ a man made a vow to slaughter a camel in Buwanah and the Prophet ﷺ asked him:

«هَلْ كَانَ فِيهَا وَثَنٌ مِنْ أَوْثَانِ الْجَاهِلِيَّةِ يُعْبَدُ؟»

"Is there any idol from among the idols of the Jahiliyyah

^[1] Al-Bukhari no. 6700.

^[2] Al-Insan 76:7.

worshipped there?”

It was said to him: “No.” He then asked:

«هَلْ كَانَ فِيهَا عِيدٌ مِنْ أَعْيَادِهِمْ؟»

“And is there any festival from among the festivals of the Jahiliyyah celebrated there?”

It was said: “No.” So he said:

«أَوْفِ بِنَذْرِكَ فَإِنَّهُ لَا وَفَاءَ لِنَذْرِ فِي مَعْصِيَةِ اللَّهِ وَلَا فِيمَا لَا يَمْلِكُ ابْنُ آدَمَ»


“Then fulfill your vow, because there is no fulfillment of a vow to commit an act of disobedience to Allah nor in matters which are not in the hands of man.”^[1]


But if it was not made as a vow, but rather a promise to feed them if his son grew up, then the questioner should keep his promise, although it is not obligatory for him to do so.

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

May a Man Eat From the Meat Which He Vowed to or not?

 Is it permissible for a man to eat from the meat which he vowed to himself, or to one of his family?

 The vow to perform an act of obedience is based upon the intention of the one who made the vow — within the limits of the purified Islamic Law. If he intended that the meat he vowed should be given to the poor, then it is not permissible for him to eat from it. If he intended to feed his family or his companions, of whom he is considered one, it is permissible for him to eat it, as one of them, according to the saying of the

^[1] Abu Dawud no. 3313 and Baihaqi no. 10/83.

Prophet ﷺ:

«إِنَّمَا الْأَعْمَالُ بِالنِّيَّاتِ وَإِنَّمَا لِكُلِّ امْرِئٍ مَّا نَوَىٰ»

“Deeds are according to intentions and every person shall have what he intended.”^[1]

Likewise if he made it a condition in his vow, or it was the custom of his country.

The Permanent Committee

He Vowed to Pray Ten *Rak'ahs*, Should He Pray Them All in One Day?

Q I vowed to Allah, Most Glorified, Most High that I would pray ten *Rak'ahs* if the pain in my leg decreased. Now I do not know if I should pray the ten *Rak'ahs*, praying them two each day until I have completed them, which would be after five days, or must I pray the ten at one time, I mean, in one day? Benefit me (with advice) and may Allah benefit you (with a reward).

A If the aforementioned condition — which was a decrease in the pain — was fulfilled, then you must execute your vow immediately and pray ten *Rak'ahs* at a time when prayer is not forbidden, making *Taslim* at the end of every two *Rak'ahs*, in accordance with the saying of the Prophet ﷺ:

«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِعهُ وَمَنْ نَذَرَ أَنْ يَعْصِيَ اللَّهَ فَلَا يَعْصِهْ»

“Whoever vowed to obey Allah, he should obey Him and whoever vowed to disobey Allah, he should not disobey Him.”^[2]

Ibn Baz

^[1] Al-Bukhari no. 1 and Muslim no. 1907.

^[2] Al-Bukhari no. 6700 and Abu Dawud no. 3289.

She Vowed to Slaughter a She-camel and not to Eat From it, Then She Ate From it

Q A woman and her children were afflicted by illness and one of them died. She was in the hospital suffering because she did not know if her children who were at home were dead or alive. In this situation, she said: "O my Lord! If I find my children in the house alive, I will sacrifice a she-camel, and I will eat nothing of its meat, and I will fast a month for you." Indeed, she fasted for a month and slaughtered the she-camel, but it happened that she ate from its meat. The question here is: Is this she-camel whose meat she tasted sufficient for her, or must she slaughter another she-camel? Advise us and may Allah reward you with goodness.

A Since she vowed this slaughtered animal as a charity for Allah's sake, and since she is obliged to fulfill her vow — it being a vow to perform an act of obedience — she must buy meat to the value of what she ate, and give it in charity to the poor. In this way she will be absolved of blame in this vow, if Allah, Most High wills.

Ibn Jibreen

The Ruling on Delaying the Fulfillment of a Vow

Q What is the ruling on one who delays the implementation of what he vowed, after the fulfillment of the condition upon which the vow was dependent? Such as one who says: "I vow to Allah to fast for five days if I was cured of my illness," and then he was cured, but he delayed fasting those days, bearing in mind that he did not specify when he would fast? Must he fast the five days consecutively? And is he required to atone for his delay in fulfilling the vow, even though he did not intend to repudiate that vow?

A It is an obligation to fulfill a vow to do an act of obedience, such as fasting, charity, *I'tikaf*, Hajj or reciting the Qur'ān. If the vow was dependent upon a condition, like being cured of an illness or arriving from a journey, then he must hasten to fulfill it. If he delays it then fulfills it, there is no sin upon him in delaying it. If he died and he did not fulfill it, his heirs must fulfill it after him, but haste and promptness are obligatory, so that the Muslim fulfills his responsibilities.

Ibn Jibreen

The Ruling on One Who Made a Vow Dependent Upon Something in the Future and it Did not Happen

Q A person vowed that if something forbidden occurred, he would pay a month's salary to a certain person. Since this forbidden thing did not occur, is there any atonement incumbent upon him, or should he pay the month's salary. And may the atonement be paid in money, giving twenty Riyals to each poor person?

A Whoever made a vow with the condition of something occurring in the future, but it did not occur, then he has not broken his vow, there is no atonement incumbent upon him, nor is he required to fulfill the vow. But when the attached condition occurs he must fulfill the vow, if it is a vow to do an act of obedience. For example if he said: "If I make a profit, I vow to give one month's salary as charity to the poor for Allah's sake."

If the vow was to an act of disobedience, such as his saying: "If such-and-such a thing happens, then I must drink a glass of wine," or some other such thing, then fulfilling it is forbidden and he must atone for an unfulfilled oath.

If the vow was merely to do something lawful, such as his saying: "I must buy such and such a garment or such and such a type of car," it is permissible for him to fulfill the vow, or make atonement for an oath. That is, to feed ten poor persons one

meal equal to the average meal he would feed to his family, or to clothe them, or to free a slave. If he is unable to do these things, then he must fast for three consecutive days and it is not sufficient for him to give the value of the food.

Ibn Jibreen

Fulfilling an Oath is Obligatory

Q Once, I said: "I vow that if Allah saves me from this sin, I will give my mother-in-law a set of gold bangles." My mother-in-law did not know about this (what is the ruling)? Should I pay the bangles to my mother-in-law, or make the atonement for an oath?

A It is an obligation upon you to fulfill the vow if the aforementioned condition took place, according to the words of the Prophet ﷺ:

«مَنْ نَذَرَ أَنْ يُطِيعَ اللَّهَ فَلْيُطِيعْهُ وَمَنْ نَذَرَ أَنْ يَعْصِيَ اللَّهَ فَلَا يَعْصِهِ»

"Whoever vowed to obey Allah, he should obey Him and whoever vowed to disobey Allah, he should not disobey Him."^[1]

But if your mother-in-law forgave you, there is no objection, because the right is hers in this matter.

And Allah is the Granter of success.

Ibn Baz

A Vow Whose Intention is to Prevent Something Falls Under the Ruling of an Oath

Q I am a young man who used to be a wasteful, then Allah guided me. But I am still committing sins, and I tried to repent of them many times, but I could not, so I said to myself: "I vow that if I repeat this sin, I will fast for two

^[1] Al-Bukhari no. 6700 and Abu Dawud 3289.

months consecutively,” but Satan made it appear attractive to me, so I said that a vow in these circumstances is like an oath and I must atone for it, then I repeated this sin. What should I do, may Allah reward you with goodness? Is it permissible for me to feed sixty poor persons, because that is easier for me than fasting, bearing in mind that Allah has blessed me with repentance of this sin now?



Firstly: It is desirable that a person should have a firm, honest intention and then abandon the forbidden — without swearing and without a vow. He should undertake what is obligatory without swearing and without making vows. Allah, Most High says:

﴿وَأَقْسَمُوا بِاللَّهِ جَهْدَ أَيْمَانِهِمْ لَئِنْ أَمَرْتَهُمْ لَيَخْرُجُنَّ قُلْ لَا تُفْسِمُوا طَاعَةٌ مَعْرُوفَةٌ إِنَّ اللَّهَ خَبِيرٌ بِمَا تَعْمَلُونَ﴾

“They swear by Allāh their strongest oaths that if only you would order them, they would leave (their homes for fighting in Allāh’s Cause). Say: “Swear you not; (this) obedience (of yours) is known (to be false). Verily, Allāh knows well what you do.”^[1]

But a person might be unable to curb the wildness of his inner self, so he turns to making vows or swearing in order to perform his obligations or to abandon the forbidden.

The scholars — may Allah have mercy on them — have said that the ruling for a vow whose intention is to prevent oneself from doing something, or to force oneself to undertake something, is that of an oath. Therefore, it is incumbent upon the questioner to atone for his vow with the atonement for an oath. That is to feed ten poor persons with a *Mudd* (two handfuls) of rice or wheat. And the *Sa’* which we know, according to our custom here, is equal to five *Mudds* of the Prophetic *Mudd*. Or, he may clothe ten poor persons, or free a slave. And he is free to choose from these three. If he is unable to do them, he must fast for

^[1] *An-Nur* 24:53.

three consecutive days, according to the Words of Allah, Most Blessed, Most High:

﴿لَا يُؤَاخِذُكُمُ اللَّهُ بِاللَّغْوِ فِي أَيْمَانِكُمْ وَلَكِنْ يُؤَاخِذُكُمْ بِمَا عَقَّدْتُمُ الْأَيْمَانَ فَكَفَّرتُكُمْ
إِطْعَامَ عَشْرَةِ مَسْكِينٍ مِنْ أَوْسَطِ مَا تُطْعَمُونَ أَهْلِيكُمْ أَوْ كِسْوَتُهُمْ أَوْ تَحْرِيرُ
رَقَبَةٍ فَمَنْ لَمْ يَجِدْ فَصِيَامُ ثَلَاثَةِ أَيَّامٍ﴾

“Allāh will not punish you for what is unintentional in your oaths, but He will punish you for your deliberate oaths; for its expiation (a deliberate oath) feed ten Masākīn (poor persons), on a scale of the average of that with which you feed your own families, or clothe them or manumit a slave. But whosoever cannot afford (that), then he should fast for three days.”^[1]

It is permissible for him to prepare food, either lunch or dinner, and to invite ten poor persons to it.

Ibn ‘Uthaimin

This is not a Vow

Q A pregnant woman heard a child reciting the Qur’ān on the radio in a fine voice and it impressed her, so she said: “If I have a boy, I will teach him to recite like this child.” And indeed, she was blessed with a boy — all praise and thanks be to Allah. Is her wish considered to be a vow or not? Advise us and may Allah reward you.



This is not a vow, nor is she obliged to teach him to recite the Qur’ān like this child. It is sufficient for him to be taught as any other Muslim would be taught the Book of Allah, Most High and other Islamic and beneficial knowledge as the children of the Muslims learn in this Kingdom.

Ibn Baz

^[1] Al-Ma’idah 5:89.

The Ruling on Fulfilling a Vow With the Money of Another

Q I vowed to sacrifice three sheep if I was blessed with a child. Then a righteous person gave me a thousand Riyals as a charity. Is it permissible for me to buy the three sheep with that money in order to fulfill my oath, although it is not from my own personal money, but charity from that man? May Allah reward you with goodness.

A There is no objection to this, because when he gave you the money and you accepted it, it became your money. If you bought the sheep with it, you will have fulfilled your obligation, all praise and thanks be to Allah. But we advise you not to make vows, because it is undesirable to do so; the Prophet ﷺ said:

«لَا تَنْذَرُوا فَإِنَّ النَّذَرَ لَا يُغْنِي مِنَ الْقَدْرِ شَيْئًا، وَإِنَّمَا يُسْتَخْرَجُ بِهِ مِنَ
الْبَخِيلِ»

“Do not make vows, for no good comes of it; it is only a means by which something is removed from the miserly.”^[1]

Ibn Baz

^[1] Muslim no. 1640, Tirmithi no. 1538 and Al-Bukhari no. 6608.

The Book of Judgements and Related Matters

The Ruling on Assuming the Office of a Judge in a Country that Does not Judge According to the Islamic Law

Q Is it permissible for a Muslim to be a Judge in a country that judges by other than what Allah has revealed in the Qur'ān and the *Hadith*.

A It is not permissible.

And may peace and blessings be upon our Prophet, Muhammad and upon his family and Companions.

The Permanent Committee

The Ruling on the Legal Profession

Q What is the ruling of the Islamic Law on the legal profession? And what is Your Eminence's opinion regarding the view of Imam Al-'Allamah Abu Al-A'la Al-Mawdudi — may Allah have mercy on him — regarding this profession expressed at the end of his book: *Al-Qanun Al-Islami Wa Turuq Tanfeezihi*. Benefit us (with advice) and may Allah benefit you (with a reward).

A According to my knowledge, there is no any objection to the legal profession. Because it involves appointing someone to act as one's representative in prosecution and defense. That is, if the lawyer pursues the truth and does not depend upon falsehood like other representatives.

As for the aforementioned words of *Shaikh* Abu Al-A'la Al-Mawdudi — may Allah have mercy on him — I have not read them.

Ibn Baz

Conditions For Working as a Lawyer

Q Working as a lawyer could leave a person open to supporting evil and defending it, because the lawyer desires for example, to have the criminal whom he is defending found innocent. So, are such earnings of a lawyer unlawful? And are there Islamic conditions for working as a lawyer?



The Arabic word used for the practice of law (*Muhamah*) comes from to word that means protection (*Himayah*).

If it is done to protect evil and to defend it, then there is no doubt that it is unlawful, because it involves committing that Allah has prohibited in His Words:

﴿وَلَا تَعَاوُنُوا عَلَى الْإِثْمِ وَالْمُدُونِ﴾

“but do not help one another in sin and transgression.”^[1]

If the practice of law is in order to protect goodness and to defend it, then it is a praised form of protection which is commanded in the Words of Allah, Most High:

﴿وَتَعَاوُنُوا عَلَى الْبِرِّ وَالْتَّقْوَىٰ﴾

“Help you one another in Al-Birr and At-Taqlwa (virtue, righteousness and piety)”^[2]

Based upon this, whoever was preparing himself for that, before taking a particular case, must first look at the case and study it. If the truth is on the side of the one seeking legal counsel, he

^[1] Al-Ma'idah 5:2.

^[2] Al-Ma'idah 5:2.

may take the case, support the truth and help the one whose case it is.

But if the truth is not with the person seeking legal counsel, then he may also take the case, however the protection here will be the opposite of that which the person seeking legal counsel desires. Meaning he is to protect that person so that he does not do what Allah has forbidden, and does not claim what does not belong to him, or merely to rebuke what he is doing.

This is because the Prophet ﷺ said:

«انْصُرْ أَخَاكَ ظَالِمًا أَوْ مَظْلُومًا»

"Help your brother whether he is an oppressor or oppressed."^[1]

They (i.e., the Companions) said: "O Messenger of Allah! This is the one who is oppressed, but how can we help an oppressor?" He ﷺ said:

«تَمْنَعُهُ مِنَ الظُّلْمِ فَذَلِكَ نَصْرُكَ إِيَّاهُ»

"Prevent him from oppression; that is helping him."^[2]

If he knows that the one seeking legal counsel is not in the right with his claim, he must advise him, warn him and make him afraid of embarking on this case, and explain to him how his claim is invalid so that he may be convinced and abandon it.


Ibn 'Uthaimin

The Ruling on Beating the Accused During Interrogation

Q Is it permissible in the Islamic Law to beat the accused during the interrogation so that he confesses? And does Islam approve of the legal profession? And is it permissible to defend a criminal?

[1] Al-Bukhari no. 6952.

[2] Al-Bukhari no. 6952.

 Beating is permissible if the suspicion is strong and the signs of it are manifest. As for (cases of) general suspicion, beating is not permissible, nor is torture. Whoever confesses under torture and duress, his confession is not considered sufficient cause for the implementation of punishment, nor for taking the right to which he has confessed. If clear evidences exist, the Judge may act upon them and implement what he sees fit.


As for legal representation, it is the processes of appointing someone to act as one's representative in lawsuits in order to obtain one's personal rights. So it is permissible for that person to appoint one who can argue his case, due to his own inability or ignorance, or the like. But it is an obligation upon the appointed representative, or the one who is hired, to advise him and inform him of his rights and his obligations before representing him, in accordance with his knowledge.

If he knows that he is an oppressor or a criminal, it is forbidden for him to defend him, even if he paid him a large fee, because this includes supporting falsehood and approving of the oppressor and helping him in his oppression.

And Allah knows best.

Ibn Jibreen

The Ruling on One Who Concealed True Evidence

 A man works for another person. The owner of the establishment rejected the work of the employee, with the intention of depriving him of his payment. So the employee submitted a complaint to those in authority and he was asked to provide witnesses for his work. But those who knew of his work were either neighbors of the owner of the establishment or his employees, and all of them are friendly to him, so they refused to testify. What is the ruling on those people who concealed true evidence?

A As for those who concealed evidence of the truth, whether those in the question about whom he is asking, or others, all those who conceal evidence of which they are aware, Allah says about them:

﴿وَلَا تَكْتُمُوا الشَّهَادَةَ وَمَن يَكْتُمْهَا فَإِنَّهُ آثِمٌ قَلْبُهُ﴾

"And conceal not the evidence, for he who hides it, surely, his heart is sinful."^[1]

Sin of the heart leads to deviation of the body, according to the words of the Prophet ﷺ:

«أَلَا وَإِنَّ فِي الْجَسَدِ مُضْغَةً إِذَا صَلَحَتْ صَلَحَ الْجَسَدُ كُلُّهُ وَإِذَا فَسَدَتْ فَسَدَ الْجَسَدُ كُلُّهُ أَلَا وَهِيَ الْقَلْبُ»

"Verily, in the body there is a piece of flesh; if it is sound, the whole body is sound, and if it is corrupt the whole body is corrupt, and hearken it is the heart."^[2]

Ibn 'Uthaimin

It is not Permissible for a Person to Give Evidence Except about What He Knows

Q It is the custom of the people, when acquiring a passport to testify that so-and-so was born in Bahrain for example, whether they are sure of that or not. Is this a kind of false witness?

A It is not permissible for a person to testify except to what he knows by sight or hearing, according to the Words of Allah, Most High:

﴿إِلَّا مَن شَهِدَ بِالْحَقِّ وَهُمْ يَعْلَمُونَ﴾

"except for those who bear witness to the truth knowingly (i.e.

[1] Al-Baqarah 2:283.

[2] Al-Bukhari no. 52.

believed in the Oneness of Allāh, and obeyed His Orders),”^[1]

﴿وَلَا تَقْفُ مَا لَيْسَ لَكَ بِهِ عِلْمٌ﴾

And follow not (O man, i.e., say not or do not or witness not) that of which you have no knowledge.”^[2]

It has been reported on the authority of Ibn ‘Abbas, may Allah be pleased with them, that he said: “The Messenger of Allah ﷺ was asked about giving testimony and he said:

«هَلْ رَأَيْتَ الشَّمْسَ؟»

“Do you see the sun?”

He said: “Yes.” He ﷺ said:

«فَعَلَى مِثْلِهَا فَاشْهَدْ أَوْ دَعْ»

“Upon its like give testimony or (otherwise) leave it.”^[3]

Based upon the above, it is not permissible for a person to testify that so-and-so was born in Bahrain, unless he knows it to be true. And whoever testified that so-and-so was born in Bahrain and he himself knows that he is a liar, this is a form of false testimony, it is included in the threat (of punishment) which is confirmed in the Noble Qur’ān and the Sunnah.

The Permanent Committee



***This is the end of the 6th volume,
and it will be followed by a 7th, Allāh willing.***

^[1] Az-Zukhruf 43:86.

^[2] Al-Isra’ 17:36.

^[3] Abu Na‘eem in Hulyatu-Awliya 4/20 and Kanzul-‘Ummal no. 17782.